



Clovis Community College

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.

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/DSPS).

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 he or she 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 SARS Connect Referral in Webadvisor and a DSP&S counselor will reach out to that student.

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.

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 changing standards or grading policies because a student has a disability.
- 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 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 shown a Notification of Authorized Services (NOAS) 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 manner.

Some disabilities are obvious but there are many more 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 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, reasonable, and equal manner.
- To provide handouts and choose videos 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

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 office in AC2-133, by phone at 559 325-5230."

ACCOMMODATIONS YOU MAY SEE IN YOUR CLASSROOM

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| Test taking accommodations such as extra time, distraction reduced setting, and/or materials in alternate format. | ➤ CCC provides testing services to assist you in providing this accommodation. Call Counseling at (559) 325-5230 or Testing Services at (559) 325-5276. |
| Note taking assistance | ➤ Faculty is responsible for finding the notetaker in a confidential manner. Have volunteer notetaker sign a notetaker agreement and turn into DSP&S. |
| Ability to record lectures | ➤ Students sign a recording agreement that they will only use recording for personal academic use. |
| Modified seating (e.g., close to open door/exit, or back against corner of room, etc.) | ➤ Examples: close to open door/exit, or back against corner of room, etc. |
| Discreet snacks/drinks allowed in class | ➤ Science and computer lab instructors please address safety while allowing accommodation. |
| Priority Registration | ➤ |
| Alternate Media/E-Text | ➤ Student shows DSP&S textbook proof of ownership, DSP&S provides text in alternative format. |
| Self-directed breaks | ➤ Student must be discreet when leaving and returning class. Instructor please do not identify student leaving in front of class. |

****There could be other accommodations or comments on the NOAS depending on individual student and disabling condition. Please contact DSP&S with questions.*

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 many of the concerns you may have about accommodating students. Please call (559) 325-5230.

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

If the student presents to you a current academic year CCC NOAS you can be assured that the student has met with CCC DSP&S counselors for those approved accommodations. The type of accommodation requested on the form will be one which has legitimacy in relation to the disability. A student who does not have a NOAS and whose outward appearance does not make existence of a disability apparent can be referred to DSP&S.

What if NOAS is from a previous academic year or other SCCC campus?

If you see a NOAS that is from a previous year, please provide the accommodations and refer the student to DSP&S to update their NOAS. If you see a student that has a Reedley College or Fresno City College NOAS, they have not been through CCC DSP&S and need to meet with a CCC DSP&S counselor.

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

No two students with disabilities are alike, even though they have the same accommodation. A one-on-one conversation with the student to address what is on the NOAS will clarify what accommodations they will need in that specific class. It is a good idea to document what you and the student discussed. If you have questions call the DSP&S (559-325-5230).

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

There are usually several ways that a student's needs are met. Please call DSP&S at (559) 325-5230 to see if your way complies with the law. Federal law requires that student use of an assistive device necessary to compensate for his/her disability (digital tape recorder) be allowed. The student is required to sign an agreement that they would not release the information recorded to any other individuals and that information recorded may only be used for academic purposes.

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

No. When a disability has been verified, the accommodation should have the purpose of providing an equal opportunity to the student. In effect starting the student on equal footing with others. To compromise standards or “water down” the requirements would not assist the student to acquire a competitive degree. The student with a disability should fulfill all the essential course-related requirements; however, altering the format, substituting an equivalent requirement, or changing the method of meeting requirements may provide the student a more equitable chance at success.

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.?

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 is not the same as other students in the class. Through the accommodations we attempt to provide the student with the same access that other students have without accommodations.