

Faculty, Staff, and Administrators Guide for Accommodating Students with Disabilities



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Introduction

This guide has been written to assist faculty, staff, and administrators in accommodating students with disabilities and to ensure that students have equal access to their academic environment. We hope you will find the material in this guide informative and useful for maximizing student development and academic success.

Each student should be viewed individually. It is important to remember that not all students with disabilities require the same type of accommodation. Some students may require support services and adaptive equipment where other students may not require any support services. A common error is to consider students from the same disability group as having the same abilities or limitations. Needs and accommodations will vary from student to student.

It is also imperative that faculty are checking their Barstow Community College email for that is how information is shared about students' academic accommodation plan.

The Accessibility Coordination Center & Educational Support Services is available to assist faculty and staff in providing a quality educational experience for all our students. If you have any questions or concerns, please feel free to contact the ACCESS at 760-252-2411 ext. 7225 or by email at access@barstow.edu.

ACCESS Mission

Barstow Community College provides a variety of services and classes through ACCESS in an effort to equalize educational opportunities for students with disabilities as they move toward their educational or vocational goals.

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 Faculty, Staff, and Administrators 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 for ACCESS Services

The ACCESS Office at Barstow Community College is an equal access program. The college provides reasonable academic accommodations to qualified students with disabilities. The services are voluntary and confidential. ACCESS is prohibited from providing services that duplicate those available to all students. Decisions regarding the provision of ACCESS services are made on an individual basis.

Disability groups currently receiving services at Barstow Community College are:

- Acquired Brain Injury (ABI)
- Attention Deficit Hyperactivity Disorder (ADHD)
- Autism Spectrum
- Blind and Low Vision
- Deaf and Hard of Hearing (DHH)
- Intellectual Disability (ID):
- Learning Disability (LD)
- Mental Health
- Mobility Disability
- Other Health Conditions and Disabilities:

Checklist for Eligibility

Students eligible for ACCESS services are those who have:

- Complete a Barstow Community College admissions application.
- Complete a Barstow Community College ACCESS application requesting services.
- Provide documentation of a verified disability to ACCESS.
- Meet with an ACCESS counselor to discuss and request appropriate accommodations in a timely manner.
- Meet with an ACCESS Center counselor as needed to discuss any needed changes to the academic accommodation plan.
- Meet with an ACCESS counselor a minimum of once per semester to review services and accommodations.

Disability-Related Services and Accommodations

Decisions regarding the appropriate accommodations are made on an individualized basis by the counselor in consultation with the student. The ACCESS staff will assist the student with the coordination and scheduling of academic accommodations throughout the semester. Typically, ACCESS students inform faculty of their approved academic accommodations by providing an Academic Accommodation Plan (APP). Although not common, the college may decline to provide approved academic accommodations when they would fundamentally alter academic and/or technical standards. The faculty member should speak with the counselor and student if you believe the accommodations affect curriculum essentials. Accommodations are special services that may include, but are not limited to:

- ❖ Academic counseling
- ❖ Priority registration
- ❖ Registration assistance
- ❖ Mobility assistance
- ❖ Interpreting and captioning services
- ❖ Note takers
- ❖ Readers
- ❖ Referral for tutorial support
- ❖ Test accommodations
- ❖ Materials in alternative formats
- ❖ Closed captioning of instructional videos
- ❖ Real time captioning of satellite/broadcast media
- ❖ Special equipment accommodations
- ❖ Campus and community-based referrals
- ❖ Liaison with the Department of Rehabilitation

Accommodations you may see in your classroom*

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

*There could be other accommodations depending on individual student and disabling condition. Please contact ACCESS office with questions.

Legislation

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 ACCESS 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 academic accommodation plan 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. ACCESS is bound by laws which protect a student's right to privacy. ACCESS 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 ACCESS 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 ACCESS with professional documentation of their disability.
- To request accommodations in a timely manner.
- To follow procedures for obtaining accommodations.
- To work cooperatively with ACCESS 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 ACCESS staff.
- 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 ACCESS if there is a concern about any accommodation

The Syllabus Recommended Language

Include a statement in the syllabus inviting a student to discuss academic needs with you. For example, "Barstow Community College provides a variety of services through the ACCESS office in an effort to equalize educational opportunities for students with disabilities as they move toward their educational or vocational goals. If you have a disability documented by a physician or other appropriate professional and need accommodations please contact ACCESS at (760) 252-2411 x7225 or email ACCESS@barstow.edu. Once accepted into the ACCESS program, accommodations can be arranged that will best suit your needs based on your disability and classroom/study requirements. Please be sure to allow at least two weeks to arrange appropriate classroom or testing accommodations.

Frequently Asked Questions

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 academic accommodation plan, you can be assured that the student has met with an ACCESS counselor 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 an AAP and whose outward appearance does not make existence of a disability apparent can be referred to ACCESS.

What if the AAP is from a previous academic year?

If you see an AAP that is from a previous year, please provide the accommodations and refer the student to ACCESS office to update their AAP.

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 AAP will clarify what accommodations they will need in that specific class. It is a good idea to document what you and the student discussed.

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 contact the ACCESS office 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 (audio recording device) 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.