



FACULTY AND STAFF

RESOURCE GUIDE

FOR

STUDENTS WITH DISABILITIES

6th Edition

Disability Support Services (DSS)

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## Introduction from the DSS Director

To all faculty and staff:

Within the pages of this guide, you will find numerous resources to assist you in providing an inclusive, safe, and welcoming environment for students with disabilities. Three key practices to start would include:

- Provide an accessible syllabus <https://accessiblesyllabus.tulane.edu/text/>.
- Utilize instructional practices that appeal to a wide range of learning differences (e.g., visual, verbal, aural, physical, logical, social & solitary). The Universal Design for Learning (UDL) section of this guide provides some examples of enhanced instructional practices.
- Maintain confidentiality and respect the privacy of students.

Providing disability support for students is a College effort that requires clear communication and collaboration. The DSS staff is fervid in their support for inclusive environments and welcomes all opportunities to assist professors through individual consultations or workshops.

Please feel free to contact the DSS staff any time for assistance. We look forward to working with you!

Kind Regards,

*Eddie*

Edward C. Roth, Ph.D.  
Director  
Disability Support Services (DSS)

## Disability Data on Fullerton College Students

The information below reflects the number of students, by disability groups, that are currently receiving services through the Disability Support Services (DSS) Department:

	<b>Annual 2016-2017</b>
<b>Total Served</b>	<b>1,754</b>
Acquired Brain Injury	32
Attention Deficit Hyperactivity Disorder (ADHD)	165
Autism Spectrum	164
Developmentally Delayed Learner	51
Hearing Impaired	36
Learning Disability	653
Mobility Impaired	72
Other Health Conditions and Disabilities	282
Psychological Disability	264
Visually Impaired	35

Fullerton College served 33,384 students during the 2016-2017 academic year, with reported DSS students served as 1,754. The fastest growing population of students with disabilities who are served at Fullerton College include Autism Spectrum Disorder, Acquired Brain Injury and Mental Health Disability. The latter two have increased primarily because of the number of returning Veterans from the Military.

# Philosophy and Mission of DSS

## Philosophy

Disability Support Services (DSS) advocates the integration of qualified students with disabilities into the mainstream of the college's programs and services. DSS is committed to serving as a resource and assisting the campus in providing support services and auxiliary aids to students with disabilities and to ensure access and equal opportunity so students with disabilities may attain their educational goals. All DSS services are designed to enhance successful student participation at Fullerton College, making transfer to four-year institutions and transition to the workplace viable options.

## Mission Statement

The mission of Fullerton College's Disability Support Services is to support students in achieving their educational and personal goals. To accomplish this the Disability Support Services staff commits to the following guidelines:

- The services and auxiliary aids exceed what is available to the general student population.
- The services and auxiliary aids are offered in a timely fashion.
- The services and auxiliary aids are based on the individualized educational capabilities unique to each student.
- The services and auxiliary aids are of sufficient quality to have a positive impact on the student's educational plan.
- The services and auxiliary aids "level the playing field" and do not give an unfair advantage to the student with a disability.
- The services and auxiliary aids are evaluated and revised, as necessary, to assure student needs are met to the greatest possible extent.
- Disability Support Services has a positive effect on student self-concept and self-esteem.

# Legal Foundations for Academic Accommodations

The fundamental principles of nondiscrimination and accommodations in academic programs were set forth through the 1973 Rehabilitation Act, Section 504. Other applicable laws include the Americans with Disabilities Act (and its 2008 amendments), Section 508 of the Rehabilitation Act, SB 105 and Title 5 (and its 2015 updates). As well, local Board Policies and Administrative Procedures 5140 and 6365 support these pieces of legislation.

## Rehabilitation Act of 1973

The Rehabilitation Act of 1973 defines individuals with disabilities covered in Title 5 as “any person who (i) has a physical or mental impairment which substantially limits one or more major life activity (e.g., caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working) and (ii) has a record of such impairment.”

Section 504 states, “No otherwise qualified individual with a disability in the United States, as defined in section 7(8), shall, solely by reason of the disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service” (The Rehabilitation Act of 1973).

The effect of Section 504 on post-secondary institutions is summed up by the concept of program accessibility to students with disabilities. “Accessibility includes the elimination of policy barriers, the provision of auxiliary aids such as readers and interpreters, and the provision of equal educational services and programs to disabled and non-disabled students, as well as the traditional physical access to the campus” (Johns, CAPED, Vol. 1 (No. 1), p. 7). Furthermore, 504 states, “In its course examinations or other procedures for evaluating students’ academic achievements, institutions shall provide such methods for evaluating the achievements of students who have a disability that impairs sensory, manual or speaking skills as will best ensure that the results of the evaluation represent the student’s achievement in the course, rather than a student’s impaired skills except where such skills are the factors being measured” (Section 504, Subpart E, 104.44 c).

## Americans with Disabilities Act Amendments Act of 2008 (ADAAA)

In 1990, the ADA became law, extending universal civil rights protections for the first time to individuals with disabilities. The ADA was modeled on the Section 504 regulations and the federal case laws that

interpret them. The ADA extended the protection for individuals with disabilities beyond federally funded institutions and was amended to the ADAAA in 2008.

The ADAAA has had a dramatic impact upon program and physical accessibility for students with disabilities. Section 36.309 of ADA (Title III) states, "Any such authority that is covered by 504, or by Title II, because it is a function of a State or local government must make all of its programs accessible to persons with disabilities, which includes physical access as well as modifications in the way the test is administered." Test accommodations include extended time, distraction-reduced setting, and assistance of a reader and/or scribe. Moreover, "A public entity offering an examination must ensure that modifications of policies, practices, or procedures or the provision of auxiliary aids and services furnish the individual with a disability an equal opportunity to demonstrate his or her knowledge or ability."

The ADAAA uses the same definition of an individual with disabilities as Section 504 and specifies three protected categories: (1) individuals who have a physical or mental impairment that substantially limits one or more major life activity; (2) individuals who have a record of a physical or mental impairment that substantially limits one or more major life activity; and (3) individuals who are regarded as having such an impairment.

Both the 1990 Americans with Disabilities Act (Title II), its amendments of 2008 and the 1973 Rehabilitation Act's Section 504 regulations state that the college shall provide academic accommodations unless:

- (a) the college can demonstrate that the accommodations are not necessary to ensure nondiscriminatory participation by a student with a disability, or
- (b) the college can demonstrate that the academic requirement for which an adjustment is requested is "essential to the program of instruction being pursued by the student."

### Section 508 of the Rehabilitation Act

In 1998, Congress amended Section 508 of the Rehabilitation Act (19 U.S.C. 794d) to expand the federal government's responsibility to provide electronic and information technology which is accessible to, and usable by, people with disabilities. Section 508 requires federal departments or agencies that develop, procure, maintain, or use electronic and information technology, to ensure that the electronic and information technology is accessible.

In 2002, SB 105 (Burton) was signed into law. It requires that all state agencies comply with Section 508. In a Chancellor's Office memo dated March 20, 2003 regarding Legal Opinion M 03-09: "Senate Bill 105



(Stas. 2002, ch. 1102) added language to Government Code Section 11135 and entities receiving state funds must comply with the requirements of Section 508 and its implementing regulations set forth in Part 1194 of Title 36 of the Federal Code of Regulations". Thus, districts are required to adopt policies and procedures to ensure that all electronic and information technologies are accessible to persons with disabilities. Before the district or college can legally purchase any software, hardware, operating system, telecommunication product, or other electronic or information technology, there must be policies and procedures in place to ensure that persons who use adaptive technology can access the information or program. In addition, all college and district web sites must be designed in such a way so that they are accessible to persons who use adaptive technology, such as screen readers and braille displays.

## **Title 5, California Code of Regulations**

Title 5, mandated by Section 504, was revised in October of 2015 and it requires that "all programs and activities in the California community colleges shall be available to all qualified persons without regard to ethnic group identification, religion, age, sex, color or physical or mental disability. No person shall be denied the benefits of any community college program or activity on the basis of ethnic group identification, religion, age, sex, color or physical or mental disability."

### **NOCCCD AP 6365 Accessibility of Information Technology**

1.0 Whenever the District (NOCCCD) enters into a contract for the purchase, development, procurement, maintenance or use of any electronic or information technology, the vendor shall certify that it complies with the requirements of Section 508 of the Rehabilitation Act of 1973 and regulations. This requirement shall apply to software applications, operating systems, web based intranet and Internet information and applications, telecommunications products, or multimedia products, self-contained closed products such as copiers, and desktop portable computers.

2.0 Each contract with such a vendor shall contain the following provision:

The vendor hereby warrants that the products or services to be provided under this agreement comply with the accessibility requirements of Section 508 of Rehabilitation Act of 1973, as amended, and its implementing regulations. Vendor agrees to respond promptly to and resolve any complaints regarding accessibility of its products or services that are brought to its attention. Vendor further agrees to indemnify and hold harmless the North Orange County Community College District from and against any claim arising out of its failure to comply with these requirements. Failure to comply with these requirements shall constitute a breach and be grounds for termination of this agreement.

## Summary of Rights and Responsibilities

Students and campus staff, including DSS, work together and share responsibility to ensure educational support and accommodations for students with disabilities.

### Rights and Responsibilities of Students with Disabilities

Students with disabilities have the right to:

- Participate voluntarily in DSS.
- Participate in courses, programs, or activities offered by the college.
- Be evaluated based on ability, not disability.
- Appeal a decision regarding accommodations through the student grievance process.

Students with disabilities have the responsibility to:

- Provide professional, documented verification of disability to the college.
- Request accommodations in a timely manner.
- Follow policy and procedure for obtaining and using accommodations.
- Work cooperatively with DSS and faculty to determine and implement accommodations.
- Adhere to the academic and conduct standards of the college.

### Student Right to Confidentiality

Confidentiality of disability and accommodation-related information is essential. All disability information that a student chooses to share with an instructor should be used only for arranging accommodations. Instructors and staff must maintain a policy of strict confidentiality about the identity of the student with a disability, the nature of the disability, and the disability-related accommodations s/he requires.

An instructor must not disclose or discuss information about a student's disability or accommodations with other persons, unless the student has authorized the disclosure in writing. **It is not legal, for example, to announce by name the student who needs a note-taker or to discuss the student's disability in class or in the presence of other students.**

## Faculty Rights and Responsibilities

Faculty members have the right to:

- Set and post academic standards.
- Evaluate all students based on the standards of the class and to grade accordingly.

Faculty members have the responsibility to:

- Use DSS as their resource to assist them in the provision of accommodations in a timely, reasonable, and equal manner.
- Adjust methods of delivery of content and assessment of student knowledge without fundamentally altering the nature of the course.
- Provide handouts and exams in a timely manner and in accessible formats for alternate media provision.
- Select textbooks in a timely manner so that e-text can be ordered from the publisher or converted by the DSS office.
- Respect and maintain a student's right to confidentiality about his/her disability by not announcing or discussing the student's disability in the presence of other students or staff.
- Contact DSS if there is a concern about any accommodation.
- Work with all campus resources including DSS to ensure that EIT (educational instructional technology) is accessible to students who use assistive technology.

**Faculty do not have the right to refuse to provide accommodations, to question whether the disability exists when accommodations have been authorized by DSS, or to request to examine the student's documentation.**

## College and/or District Rights and Responsibilities

The college and/or district have the right to:

- Request and review documentation that supports requests for accommodation.
- Hold all students to the Student Code of Conduct.

The college and/or district have the responsibility to:

- Inform applicants and students with disabilities about the availability and range of accommodations.
- Ensure that all of its programs are accessible.
- Provide accessible college materials when necessary.
- Establish college policies and procedures for access and a process to resolve disputes.
- Communicate policies and procedures to college employees and students.
- Support an atmosphere of respect and inclusion.
- Adjust, substitute, or waive any requirement that has a disproportionately adverse impact on a disability and is not fundamental to the student's academic program.

### DSS Rights and Responsibilities

DSS has the right to:

- Request and receive current documentation that supports the need for accommodations.
- Deny a request for accommodations if the documentation demonstrates that the request is not warranted or if the individual fails to provide appropriate documentation.
- Suspend services if a student persistently violates DSS policies and procedures regarding academic accommodations.

DSS has the responsibility to:

- Assist faculty/staff in providing or arranging accommodations and/or auxiliary aids.
- Hold student information confidential except where permitted or required by law.
- Communicate to students, faculty, and staff the process to request accommodations.
- Verify the student's disabilities and authorize accommodations based on functional limitations caused by the disability.

## Services/Accommodations Prescribed to Eligible Students

Educational accommodations and academic adjustments make courses accessible to students with disabilities. Educational accommodations and adjustments do not alter content, only the delivery of such. By law, students with disabilities must be given the opportunity both to acquire information and to be evaluated in a way that allows the student to fully demonstrate his/her knowledge of the subject. Accommodations and adjustments are designed to assist students in overcoming functional limitations resulting from their disability and are not used to lower academic standards. Faculty deliver educational content and evaluate knowledge of ALL their students. DSS serves as a resource to assist instructors with this task and to assist the college as a whole in providing educational accommodations and adjustments within respective departments. Students with disabilities are still responsible for meeting all course, attendance and conduct requirements.

Learning Disabilities (LD) Specialists/Counselors, who are Fullerton College Faculty members, prescribe services/accommodations to qualified students so that they can access classes, activities and services provided by Fullerton College. The support services and accommodations must be directly related to the educational limitations of the student's disabling condition and the educational program of the student. Accommodations may include the following:

### Counseling

- Specialized Counseling
- Specialized Individual or Small Group Orientation (incoming high school students)

### Classroom Related

- Interpreter (manual/oral/real-time translation)
- Note-taking Assistance
- Test Taking Accommodations
- Transcription Services (Braille/non-Braille)
- Specialized Tutoring Support
- Reading Accommodations

### Other Services

- Adaptive Computer Lab Classes
- Alternate Media Formats
- Adaptive Equipment and Resources
- Registration Assistance
- Learning Disability Assessment

### Specialized Tutoring Support:

Tutoring for DSS and all FC students is conducted in the Fullerton College Tutoring Center. DSS students may obtain a referral for tutoring from one of their instructors or from one of the LD Specialists/Counselors. If a DSS student feels that s/he has a need beyond what is available to them in the Fullerton College Tutoring Center, s/he may pursue additional assistance via DSS by being referred to the Adaptive Computer Lab where additional help may be provided.

### Note-Taking Assistance

Note-taking assistance may be provided in a variety of ways. Ideally, the instructor makes his/her notes available to all students thus complying with Universal Learning Design principles (see p. 14). In addition, a student may be authorized to audio record his/her classes. Another option involves getting copies of notes from a volunteer peer note-taker in the class. In this process, the instructor will receive a notebook either from the student or in campus mail. The notebook has information regarding the process on how to find a peer note-taker in the class. The peer note-taker will be given the notebook with NCR (carbonless copy) paper on which to take notes. At the end of class, the peer note-taker is to put the copy of the notes in front of the class (usually on the instructor's desk) for the student to pick up (discreetly) on his/her way out.

**PLEASE NOTE!** Note-taking arrangements must be made in a way that DOES NOT identify the DSS student who needs the notes. The DSS student may choose to self-disclose and be identified to the note-taker but the instructor should never disclose identities of DSS students unless explicitly asked by the student to do so on his/her behalf.

The instructor should contact DSS if a note-taker is not identified so that other arrangements can be made as soon as possible! Other note-taking options may be available based on the student's need.

### Interpreting Services

Sign language interpreters are provided by DSS for students who are deaf or hard-of-hearing. Eligibility for interpreting services will be determined by a LD Specialist/Counselor and will be based on verification of disability. To schedule interpreters for classes, it is important for students to meet with the DSS Interpreter Coordinator as soon as they are enrolled in classes to complete a request for services form.

## Medical Parking

Students must purchase a student parking sticker at the time of registration. If they have a DMV placard, they must display both the placard and a student parking sticker (“S”). If they do not have a DMV placard, they need to bring their student parking sticker to DSS along with a medical verification of their disability. Once they are authorized for this service, they will complete an application for medical parking and take it to Campus Safety where the “S” sticker will be exchanged for a medical parking sticker (“M”). This is a temporary service for one semester only.

## Computers

Specialized computers are available in various locations throughout the campus. If necessary, some training may be provided through the Adaptive Computer Lab classes to enhance skills needed to use this specialized equipment. Students should be trained in the assistive technology used on these computers prior to enrolling in a class where this technology is needed.

## Alternate Media

Alternate media/reading services are used to provide an alternate format of students’ textbooks, tests or other written matter. This enables a student to access printed material in an audio or electronic version. There are a few different formats that are commonly used.

Kurzweil is an electronic audio/visual format for reading textbooks or tests. It enables a student to read the text on the computer using a specialized program. The program reads the text out loud while highlighting each word as it reads.

Learning Ally is an audio format for textbooks. Students can open their own personal account through Learning Ally for a small membership fee.

Braille, e-text, and other formats are available for students with vision impairments.

If a student is authorized for an auditory form of a test, the DSS Alternate Media Specialist will need an electronic version of the test. When testing and class materials are designed with access in mind (see Universal Design for Learning Principles – page 14), the provision of alternate media formats is simplified

and everyone benefits. The DSS Alternate Media Specialist is the campus resource to assist faculty in providing their tests in accessible formats.

### Test-Taking Facilitation

The following procedure applies to students who have been authorized for test taking accommodations:

Please Note: Testing accommodations may apply to all tests, quizzes, and in-class essays.

1. Once a student is authorized for any DSS service, s/he presents a DSS Instructor Letter to each instructor which explains that the student is eligible for services at DSS. A discussion regarding accommodations may take place but the student's diagnosis(es) are not divulged.
2. At least two (2) days before the test and two weeks before finals, the student makes an appointment to take the test at DSS and the student also picks up a Testing Facilitation Form to give to the instructor one week before the scheduled test. The student fills out the top half of the form and the instructor fills out the rest of it, responding to sections with information on how the rest of the class is taking the test. The DSS student and the instructor review the form together and sign the bottom of the form.
3. The instructor delivers the completed and signed form along with the testing materials to DSS before the date that the test will be administered. (Students must take the test the same day and time as the rest of the class unless they have received an exemption from DSS). Note that instructors can allow a DSS student (or any student) to take a test at an alternate time but DSS may not be able to proctor the test in this circumstance and the instructor would have to supply the prescribed accommodation for the test.
4. On the day and time of the test, the student comes to DSS to take it with the authorized accommodations. The test is returned to the instructor as is indicated on the completed DSS Testing Facilitation Form.
5. Instructors are welcome to provide the testing accommodation as prescribed within the context of their class and schedule as is reasonable to the student.

### Adaptive Computer Lab Classes

Students who are DSS eligible may take these very popular support services classes. Students receive academic, computer, and assistive technology instruction which are arranged on an open-entry and individualized basis. Learning Strategies (COUN 075) and/or Word Processing (COUN 071) can be taken for .5 to 2.0 units each and the hours are arranged around the student's schedule and preference. These classes are listed under the Counseling section of the Fullerton College class schedule.



## Registration Assistance/Specialized Counseling

LD Specialists/Counselors are available for specialized disability related academic counseling appointments and for registration assistance appointments.

## Providing Prescribed Accommodations

Services are provided for enrolled students only. Once the matriculation process is completed, students make an appointment to see a DSS LD Specialist/Counselor for verification of disability and to make arrangements for support services. Authorized services are determined and discussed with the student based upon the functional limitation of the disability.

### Summary of Process for Student to Receive DSS services:

1. Student provides DSS with medical verification of disability and/or Learning Disability testing or is referred for testing by the LD Specialist/Counselor.
2. The LD Specialist/Counselor, in consultation with the student, identifies educational limitations and determines academic accommodations.
3. Student shows a DSS Instructor Letter to instructors in a timely manner.
4. Any accommodation requests are the responsibility of the student.
5. DSS assists instructor in providing accommodations, as needed.

### Instructor's Role in Providing Accommodations

Instructors play a key role in the accommodation process. The level of involvement faculty will have in the accommodation process will vary depending upon the following factors: the type of accommodation prescribed, the setting for the accommodation, and the functional limitation of student's disability. Faculty are always welcome to supply any educational accommodation as this promotes integration rather than segregation of the student with a disability. UDL Principles (page 14) assist instructors in the delivery of their educational content so as to include every student regardless of disability.

It is important for faculty to include on the syllabus a statement advising students of the process to request accommodations from the instructor.

“Fullerton College is committed to providing educational accommodations for students with disabilities upon the timely request by the student to the instructor. Verification of the disability must be provided. Disability Support Services (Room 842) functions as a resource for students and faculty in the determination and provision of the accommodations.”

You may want to refer a student who is having difficulties to DSS. You could encourage the student to meet with you to discuss their learning needs and then say something like, "I noticed that you seemed to have difficulty organizing your paper. You might consider using some of the support services we have on campus such as the Skills Center, Tutoring Center, Writing Center, or Disability Support Services."

**IMPORTANT NOTE: Maintaining student confidentiality is critical.** (See page 7.)

## Using Universal Design for Learning (UDL) Principles in Instruction

According to Sheryl Burgstahler, Ph.D. (<http://www.washington.edu/doi/>), Universal Design for Learning (UDL) is used to develop course instruction, materials, and content so that students of all learning styles benefit without supplemental adaptation or retrofitting. UDL provides equal access to learning, not simply equal access to information. It allows the student to control the method of accessing information while the instructor monitors the learning process and initiates any beneficial methods.

Although this design enables the student to be self-sufficient, the instructor is responsible for imparting/assessing knowledge and facilitating the learning process. It should be noted that UDL does not remove academic challenges; it removes barriers to access and increases success.

UDL is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized re-design. Making a product or a lesson accessible to people with disabilities often generates unanticipated benefits for others. For example, the captioning of course videos (which provides access to deaf students) is also a benefit to students for whom English is a second language, to some students with learning disabilities, and to anyone watching the video in a noisy environment. All students benefit from UDL Principles.

Designing web resources in accessible formats as they are developed means that no re-development may be necessary if a student with a disability enrolls in the class. Allowing all students access to your class notes and assignments on an accessible web site can eliminate the need for providing material in alternative formats.

Employing UDL principles does not eliminate the need for specific accommodations for students with disabilities. For example, sign language interpreters are often needed in classroom settings for deaf and hard of hearing students. Nevertheless, the need for additional accommodations is minimized.

### Principles

- Identify the essential course content.
- Clearly express the essential content and any feedback given to the student.
- Integrate natural supports for learning (i.e., using resources already found in the environment such as a study buddy).
- Use a variety of instructional methods when presenting material.
- Allow for multiple methods of demonstrating understanding of essential course content.

- Use technology to increase (not decrease) accessibility.

### Implementation

- Put course content online allowing students to “pick up” material missed in lecture.
- Use peer mentoring, group discussion, and cooperative learning situations rather than strictly lecturing.
- Use guided notes to enable students to listen for essential concepts without copying notes off of overhead.
- Update course materials based on current events and student demands.
- Provide a comprehensive syllabus with clearly identified course requirements, accommodation statement, and due dates.
- Vary instructional methods, provide illustrations, handouts, auditory and visual aids.
- Clarify any feedback or instructions, ask for questions, and use multiple examples.
- Relate a new topic to one already learned or a real-life example.
- Allow the student to demonstrate knowledge of the subject through alternate means.
- Permit and encourage the use of adaptive technology.
- Develop study guides.
- Have all handouts and text-based materials readily available in electronic format.
- Instead of giving two (2) long exams in one semester, give more frequent shorter exams.

### Helpful Hints

- Make your visuals ready for delivery in alternate/accessible format.
- PowerPoint and PDF files can be made accessible. (see Appendix B)
- Have handouts, tests, etc., available in electronic format ready to convert to alternate format in a timely fashion.
- Use all available DSS resources to assist you in the provision of educational accommodations.
- Use MathType when putting any mathematical or scientific equations on paper or in documents.
- Have your textbook list available EARLY so transcribing into an alternate format of it can be performed in a timely fashion.
- Always play it safe and consult with DSS when any uncertainties arise. DSS is there to assist you in the timely, accurate and reasonable provision of your educational content to students.

## Appendix A: Frequently Asked Questions

### **Is DSPS the same as Special Education?**

There is no special education in postsecondary education. The Individuals with Disabilities Education Act (IDEA), the federal law that applies to education of students with disabilities in K-12, does not apply to postsecondary schools. Because K-12 education is mandated while postsecondary education is not, the rights and responsibilities of students with disabilities are different in K-12 than in college. The primary focus of postsecondary disability services is to ensure that students with disabilities receive classroom accommodations to which they are legally entitled. The law mandates equal access to instruction but does not require fundamental alteration of a program.

### **Who is responsible for determining appropriate accommodations?**

Disability Support Services (DSS) has the obligation and the professional expertise to determine appropriate accommodations. Accommodations are based on documentation collected from a student with a disability and on the student's functional limitations.

### **Are all students with disabilities registered with disability services?**

No, it is likely that some students with disabilities have chosen not to register with DSS or they may not have completed the required documentation and intake process to establish eligibility. These students must still provide professional verification of a disability and have the right to accommodations based upon the ADA and Section 504. Instructors should not attempt to verify a disability and should refer a student who is asking for accommodations to DSS or the District ADA/504 Compliance Officer if they choose not to use DSS. Once verified, the accommodations will be prescribed and a plan developed to provide the accommodation. All of this is completed assuming that timely notification was provided at each step.

### **Do I have the right to know the nature of a student's disability?**

The information regarding a student's disability should be shared only when there is a compelling reason for disclosure. The U.S. Department of Justice has indicated that a faculty member generally does not have a need to know what the disability is, only that it has been appropriately verified by the office assigned this responsibility on behalf of the institution. Students may submit their verification to DSS without disclosing to the instructor the specific nature of their disability. Upon a student's request for accommodations, the college and the instructor are required by law to properly accommodate the student.

### **What if a faculty member does not allow accommodations?**

Federal law, state law and Board policy state that the institution is mandated to provide equal access. In the area of academic accommodations, the role of DSS is to assist the college and instructors in meeting their legal obligations to students with disabilities. If an instructor receives an accommodation form and doesn't understand or disagrees with the accommodation, it is the instructor's professional responsibility to contact DSS to discuss the issue. In the event the instructor discusses the issue with DSS and there is still disagreement, the District 504/ADA Compliance Officer will review the case and make an interim decision pending resolution through the student grievance procedure. Until a decision is made, the accommodation must be provided. Disallowing the accommodation or telling the student, "You don't need this," or "I don't believe in learning disabilities," is illegal and puts the instructor, college, and district at risk of legal action. Blatant denial of accommodation can also lead to the instructor being held personally liable.

### **May faculty give a failing grade to a student with a disability?**

The laws mandate access to education, not guaranteed academic success. When a faculty member has communicated clear expectations for performance to his/her students, has provided or allowed academic accommodations as authorized by DSS, has worked with DSS to ensure that course materials are accessible to the student if s/he needs alternate formats (e.g. braille, electronic text, large print, tactile graphics, video captioning) and the student does not meet the course requirements, then failing a student is proper and lawful.

### **Are faculty expected to accommodate disruptive behavior?**

In the postsecondary setting all students, disabled or not, are expected to follow the Student Code of Conduct as found in the catalog. Sometimes it is assumed automatically that students with behavioral issues are students with disabilities and DSS receives phone calls asking that we intervene. Although some students with behavior problems may benefit from referral to DSS (especially if behavior is caused by undiagnosed learning disabilities, psychological disabilities, or frustration caused by lack of success in classes), to maintain confidentiality DSS staff cannot divulge if the student is already receiving DSS services. It is best to follow the standard college procedure if a student is disruptive.

### **Is extended time on tests unfair?**

Many students with disabilities are put at a disadvantage by having to take timed tests. Examples of this include some students who process information slower as a result of a learning disability or brain injury, students who have mobility challenges and take longer to write or use a computer, or students who have various health impairments who fatigue easily and need breaks during long exams. The LD Specialists/Counselors authorize this accommodation to students who are justified for it so that they can demonstrate what they know.

**What does DSS do to ensure that a student does not cheat on an exam?**

All test sessions are monitored at regular intervals by Disability Support Services Office staff. Staff may enter the testing area at any time during the test session and surveillance cameras are utilized to ensure integrity. Any item not specified on the Test Facilitation form is not allowed in the testing room. Students are not permitted to leave the testing room for any reason unless prior arrangements have been made. Unethical behavior is reported to the instructor, the test is collected and the testing is stopped.

**I have quizzes every day in my class. Must all of these quizzes be administered outside of the classroom through DSS?**

Testing accommodations also apply to quizzes. Some students will need access to a proctor, alternate format and/or extended time. Instructors are welcome to provide the testing accommodations as prescribed by the LD Specialist/Counselor and DSS can assist the instructor with this.

**I have a policy of giving no makeup exams. Must I allow a student with a disability to make up an exam missed due to their disability?**

If a student misses an exam for a disability/medically related reason and shows verification of an extenuating circumstance, it is highly recommended that the instructor consider allowing a make-up exam.

**Will DSS administer all testing accommodations - extended time, alternate formats?**

Understanding that the assessment of knowledge falls under the purview of the instructor, DSS will assist the instructor by administering testing accommodations and providing alternate formats only if the instructor follows the policies and procedures of this accommodation (see Appendix D). If an instructor is unable to follow the DSS testing accommodations policies and procedures, then they will assume the responsibility of providing the accommodation as prescribed by the LD Specialist/Counselor.



## Appendix B: Testing Procedures

- \* While it is the role of the instructor to assess knowledge of all their students, instructors may utilize DSS as a resource to assist them in delivering prescribed, mandated testing accommodations.
- \* When instructors get timely requests from students to use the DSS test proctoring services, instructors either provide the accommodation themselves as prescribed by DSS **or** proceed as outlined below:
  1. The student should provide the instructor with a signed DSS “INSTRUCTOR LETTER,” (green-colored form) which will inform the instructor that the student has an active file with DSS and is entitled to services which might include test taking accommodations.
  2. At least one week before the test or quiz is scheduled to be taken; the student must give the instructor a goldenrod-colored form entitled “Fullerton College DSS Testing Facilitation Form.” The top portion of the form is to be completed by the student.
  3. The instructor completes the body of the form. Where it says, “The Class is permitted \_\_hr(s) \_\_mins for test,” make sure you indicate the amount of time the rest of the class has to take the test or quiz—the DSS office **will extend this time** based on the student’s approved extended time formula. The use of textbooks, notes, etc. are permitted *only* if these will also be used by the students in the classroom.
  4. The student and instructor should meet so they can discuss the portion of the test facilitation form completed by the instructor. This is to ensure that the student knows the following:
    - The materials that the instructor will allow the student to use with the test.
    - Any special directions or instructions that apply to the test.

We ask that the instructor take particular care in completing their portion of this form because the directions given are the **only** ones the DSS test proctors have to guide them when administering a quiz or test.

**NOTE:** To ease the difficult task of proctoring over 3000 tests per year for close to 300 instructors, DSS asks that **instructors fill out a test facilitation form for each exam as DSS will no longer keep these forms on file.** This form will be returned with the completed exam.

5. The instructor then signs the goldenrod, attaches the test or quiz to the form, and hand delivers the test or sends it by campus mail to DSS. **Please submit HARDCOPY exams to the DSS office no less than 24 hours prior to the test date** so that staff may properly log and prepare your exam in a secure and organized fashion. Electronic exam delivery is discouraged with the exception of exams that need to be converted into alternate format.

**Note: Students should always take the test on the same day and time as the rest of the class. The only exceptions to this are if the instructor lectures before or after the test, or the class meets outside of DSS operating hours.** The date and time the test was taken is logged in the DSS Testing Center and available to the instructor upon request.

**Please note:**

- Regular semester (fall and spring) hours of operation for test proctoring are:  
Mon, Wed, Thu, 8:00 am – 4:30 pm; Tues, 8:00 am – 6:30 pm; and Fri, 8 – 11:30 am.
- Contact the DSS test proctor to make arrangements for assistance in providing class test accommodations outside of the above hours.
- DSS Testing Center phone: (714) 992-7127
- DSS Testing Center e-mail address: [dsstestingcenter@fullcoll.edu](mailto:dsstestingcenter@fullcoll.edu)
- Instructors have the option of providing the mandated accommodations themselves according to DSS instructions.

## Appendix C: A Note about Military Veteran Students with Disabilities

It is important to include some general information about Military Veterans who attend Fullerton College. A significant number of Veterans are discharged from the service with a disability rating. Another significant number have a disability but do not seek a rating with the VA. Most Veterans do not choose to associate themselves with the DSS office as they consider themselves wounded warriors and not disabled students. With over 645 Veterans enrolled at Fullerton College you will come in contact with a Veteran who needs the support of DSS. Please take the time to refer them to all the services available on campus including DSS and the Health Services Center. If you want additional information on student Veterans, please visit or contact the Veterans Resource Center. They can refer you to additional resources and trainings on Veteran awareness on the college campus.

## Appendix D: Resources

### Attention Deficit Disorder

ADDvance Issues for women with Attention Deficit Disorder

<http://www.addvance.com>

Children and Adults with Attention Deficit/Hyperactivity Disorder (CH.A.D.D.)

<http://www.chadd.org>

### Assistive Technology Resources

Archimedes Project, University of Hawaii

<http://archimedes.hawaii.edu/>

Center for Applied Special Technology

<http://www.cast.org/bobby>

Equal Access for Software and Information (Project EASI)

<http://people.rit.edu/easi/>

High Tech Center Training Unit of the California Community Colleges

<http://www.htctu.fhda.edu>

Web Accessibility Homepage

<http://www.w3.org/wai>

Web Aim

<http://www.webaim.org>

### Deafness and Hearing Loss

American Speech-Language-Hearing Association

<http://www.asha.org>

National Information Center on Deafness, Gallaudet University

<http://clerccenter.gallaudet.edu/>

Postsecondary Education Programs Network Online training courses and resources

<http://www.pepnet.org>

### Disability Organizations and Information

Association on Higher Education and Disability (AHEAD)

<http://www.ahead.org>

California Association for Postsecondary Education and Disability

<http://www.caped.net/>

Clearinghouse on Disabilities and Gifted Education

<http://www.hoagiesgifted.org/eric/>

Heath Resource Center, American Council on Education  
<http://barrier-free.arch.gatech.edu>

National Institute of Neurological Disorders and Stroke - National Institute of Health  
<http://www.ninds.nih.gov/>

National Organization on Disability (NOD)  
<http://www.nod.org>

University of Washington DO-IT Program The Faculty Room  
[www.washington.edu/doi/Faculty/](http://www.washington.edu/doi/Faculty/)

### **Ergonomics**

Kinesis Corporation  
<http://www.ergointerfaces.com>

### **Learning Disability**

Learning Disabilities Association of America  
<http://www.ldanatl.org>

LD OnLine Information on learning disabilities  
<http://www.ldonline.org>

National Center for Learning Disabilities  
<http://www.nclld.org>

### **Low Vision and Blindness**

American Foundation for the Blind  
<http://www.afb.org>

Links to many sites on vision impairment  
<http://www.nyise.org/blind.htm>

National Library Service for the Blind and Physically Handicapped, Library of Congress  
<http://www.loc.gov/nls/>

### **Mobility Impairment**

Mobility International USA  
<http://www.miusa.org>

# WCAG 2 at a Glance

## Perceivable

- Provide **text alternatives** for non-text content.
- Provide **captions and other alternatives** for multimedia.
- Create content that can be **presented in different ways**, including by assistive technologies, without losing meaning.
- Make it easier for users to **see and hear content**.

## Operable

- Make all functionality available from a **keyboard**.
- Give users **enough time** to read and use content.
- Do not use content that causes **seizures**.
- Help users **navigate and find content**.

## Understandable

- Make text **readable and understandable**.
- Make content appear and operate in **predictable** ways.
- Help users **avoid and correct mistakes**.

## Robust

- Maximize **compatibility** with browsers and user tools.

This page provides a summary of Web Content Accessibility Guidelines (WCAG 2.0); however, **it is paraphrased and it is not a definitive version.**

Please see the following key resources for learning and using WCAG 2.0:

- WCAG Overview — [www.w3.org/WAI/intro/wcag](http://www.w3.org/WAI/intro/wcag)
- How to Meet WCAG 2.0: A customizable quick reference to WCAG 2.0 requirements (Success Criteria) and techniques — [www.w3.org/WAI/WCAG20/quickref](http://www.w3.org/WAI/WCAG20/quickref)

Online at [www.w3.org/WAI/WCAG20/glance](http://www.w3.org/WAI/WCAG20/glance) ▪ Copyright © 2008 W3C® (MIT, ERCIM, Keio). ▪ Status: Updated 9 March 2011

## Acknowledgements

The handbook documents were adapted from the following institutions:

California Community College's Chancellor's Office

California State University, Fullerton, *Faculty and Staff Handbook*

California State University, Long Beach, *Disabled Student Services' Faculty Handbook*

College of Alameda, *A Faculty Guide to Working with Students with Disabilities* (2005)

Cuyamaca College, *The College Student With a Disability: A Faculty Handbook* (1998)

De Anza College, *Student with Disabilities: Faculty and Staff Resource Guide*

Foothill College, *Information for Faculty*

MiraCosta College, *Faculty Handbook for Students with Disabilities*

Mt. San Jacinto College, *DSP&S Faculty Handbook*

Ohio State University, *Instructor Handbook: Teaching Students with Disabilities*

Riverside Community College District, *DSPS Faculty Handbook*

Saddleback College, *Partnership: A Faculty Guide to Special Services*