

Faculty Guide

The College Student with a Disability



Revised January 2022



Mission Statement

Victor Valley College's ACCESS Resource Center (ACCESS) is committed to eliminating the educational barriers that are unique to students with disabilities by providing specialized programs and services.

The purpose of this Faculty Guide is to provide faculty with information regarding specific accommodations and strategies in working effectively with students with disabilities. This guide will also provide details of legal regulations Victor Valley College faculty must follow when working with students with disabilities. Accommodations in the classroom and for exams are used to create an equal opportunity for students with disabilities, not to give them an unfair advantage.

PLEASE CONTACT THE ACCESS RESOURCE CENTER OFFICE FIRST IF YOU HAVE *ANY* QUESTIONS OR CONCERNS.

ACCESS Resource Center Office: (760) 245-4271 ext. 2212

Fax: 760-243-6455

Email: ACCESS@vvc.edu

Website: http://www.vvc.edu/offices/disabled_student_program_services

ACCESS DIRECTOR: Cathy Ekpo

ACCESS COUNSELORS: Sherri Pierce (Counselor)
Evelyn Marquez (Counselor/Learning Disabilities Specialist)

ACCESS STAFF: Jonathan Scott - Deaf & Hard of Hearing Specialist
Corynne Brown - ACCESS Specialist (Testing/Accommodations)
Lorena Gomez - Clerical Technician II

Eligibility for ACCESS Resource Center Services

The ACCESS Resource Center at Victor Valley 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 DSPS services are made on an individual basis.

Disability groups currently receiving services at Victor Valley College are:

- Acquired Brain Injury (ABI)
- Blind/ Visual Limitation
- Deaf/ Hard of Hearing (HOH)
- Intellectual Disability (ID)
- Learning Disability (LD)
- Mobility Limitation
- Psychological Disability
- Speech and Language Disability
- Other Disabling Conditions
- Temporary Disability (short-term injuries)

Checklist for Eligibility

Students eligible for ACCESS services are those who have:

- ✓ Enrolled at Victor Valley College
- ✓ Completed a Victor Valley College ACCESS Application requesting services
- ✓ Provided documentation of a verified disability to Victor Valley College ACCESS Resource Center
- ✓ Met with a ACCESS Resource Center counselor to discuss and request appropriate accommodations in a timely manner
- ✓ Met with a ACCESS Resource Center counselor as needed to discuss any needed changes to the Academic Accommodation Plan
- ✓ Met with a ACCESS Resource Center counselor a minimum of once per year to review services and accommodations.

Faculty members are encouraged to make student referrals to the ACCESS Resource Center Office when deemed appropriate.

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 Resource Center staff will assist the student with the coordination and scheduling of academic accommodations throughout the semester. Typically, ACCESS Resource Center 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:

- Accessible Parking
- * Alternate Media
- Community Agency Referrals
- Disability Management Counseling
- ACCESS Resource Center Classes (Adapted PE, and Adapted Computer)
- Learning Disability Assessment
- Priority Registration
- * Note- Taking (NCR paper, Smart Pens, Sonocent Software)
 - NCR- The student may try to find a volunteer notetaker in the class. If the student is unable to do so, it is incumbent upon the instructor to secure a notetaker for the student. This is a volunteer from your class that will take notes on the NCR and at the end of class, give the student one of the copies. Students sometimes work out other arrangements, such as emailing the ACCESS Resource Center student a copy of the notes that the notetaker has on his/her laptop, etc.
- * Priority Registration
- * Captioning Services
- * Sign Language Interpreting
- * Testing Accommodations and Proctoring

**These accommodations will be most pertinent to you.*

Computer Access and Assistive Devices

- Adaptive computer hardware and software (located in the ACCESS Resource Center Lab)
- Smart Pens
- Assistive Listening Device (FM System)
- Closed Circuit TV
- Portable Closed Circuit TV
- Portable spell-checker
- Magnifier
- Digital Recorder
- Scooter (Limited Availability)
- Screen Reader Tools

Testing Accommodations

According to Federal Law, many students who have disabilities are eligible to take their tests with extended time or with other accommodations. Students must have provided disability verification, and completed the eligibility process with the ACCESS Resource Center Counselor. During the eligibility appointment, the student and counselor, finalize the appropriate testing accommodations, which are listed on the *Academic Accommodation Plan (AAP) ACCESS Resource Center (ACCESS) Passport*. The student is then provided with Alternative Testing Forms, to be completed by each of their instructors, in order to receive test proctoring accommodations from the ACCESS Resource Center.

It is acceptable for the professor to personally provide testing accommodations, when the professor and student can agree upon the proctoring arrangements. To establish eligibility for test proctoring accommodations, the professor can request the student to provide them with a copy of their *Academic Accommodation Plan (AAP) ACCESS Resource Center (ACCESS) Passport* form completed by the ACCESS Resource Center Counselor. Please keep in mind that the information you receive is confidential. You may contact the ACCESS Resource Center if you have any questions about the accommodation. Additionally, because many professors do not have offices to meet proctoring needs, the ACCESS Resource Center has made arrangements to assist professors, by providing test proctoring services for ACCESS Resource Center-registered students.

Online professors with ACCESS Resource Center-registered students, approved for extended testing time, who will be conducting all testing online, remotely, can request the student to provide them with a copy of their *Academic Accommodation Plan (AAP) ACCESS Resource Center (ACCESS) Passport* in order to provide the approved testing accommodations. If the students will be required to complete one or more tests, proctored on campus, the process will be the same as for those taking face-to-face classes.

It is the student's responsibility to schedule Test Proctoring appointments. Cancelling or rescheduling appointments are also the responsibility of the student. Students are required to schedule Proctoring appointments ***a minimum of 1 week in advance for general class exams, and a minimum of 2 weeks in advance for midterm and final exams.*** Some accommodations may require additional notice, such as: oral administration or writing support (scribing); Word Processing capability for essay exams; CCTV or ability to enlarge text for online tests; tests requiring computer access, or an exam requiring specific software that is not internet based. For brail tests, please contact the ACCESS Specialist, as additional time is usually required.

The ACCESS Resource Center requests that professors personally deliver their tests directly to the ACCESS Specialist, no less than 24 hours in advance, excluding weekends and holidays. Alternatively, you can place the test in a sealed envelope, and give it to the student to bring to the ACCESS Resource Center. You may also send the exam as an email attachment to: ACCESS@vvc.edu no less than 24 hours in advance, excluding weekends and holidays. Regardless of the delivery method chosen, please provide any supplemental or "new" instructions, not already provided on the Alternative Testing Form, as well as a contact number, where you can be reached for any questions.

If you cannot meet the suggested timelines above, we appreciate notification, by email, that you will deliver the test in time for the student to take their exam at their scheduled appointment time.

Completed tests may be returned in one of three ways. They can be placed in a sealed envelope, and returned to the student to deliver to you. Alternatively, they can be emailed to you at the email address specified on the Alternative Testing Form. The test can also be held for you to pick up at the ACCESS Resource Center in Building 23, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m.

Please call the ACCESS Resource Center at (760) 245-4271 extension 2212 if you have any further questions.

Assistive Technology

The ACCESS Resource Center High Tech Center (HTC) provides individualized training for students with disabilities in the use of assistive technology. Assistive technology may include; screen readers, voice recognition, text-to-speech and specialized hardware. The HTC is also a resource for students requiring access to print materials and computer support for academic classes.

Alternate Media – Production of Non-printed Instructional Materials

Alternate media is defined as instructional materials, textbooks, college publications and/or library materials in formats accessible and usable by individuals with print disabilities. Examples of accessible formats are: Book on CD, MP3 audio, large print, Braille, tactile graphics, captioning, and e-text. Alternate Media Services will only be provided to students who have a verified disability and whose disability related functional limitations prevent them from reading regular printed materials. Instructors are encouraged to adopt textbooks early to allow time to produce alternate media for students in need.

Captioning of Audio Visual Materials

All audio-visual materials must be captioned as part of class materials must be captioned. If you require assistance, please contact the please contact “[CCC Tech Connect](#), [Distance Education Captioning and Transcription \(DECT\) Grant](#), or [Quick Caption](#).”

Online Web Accessibility

As the creator of your course, you are responsible to follow the Web Accessibility Standards to allow all students to access your class. Some of the items that you may need to include conforming to these standards are as follows:

1. Compliant with browser and system font sizes and color/contrast settings.
2. Completely operable using a keyboard only (no mouse).
3. Functional with leading screen magnification, screen reading, and speech recognition software.
4. Completely understandable without sound.
5. Completely understandable without the use of color.
6. Clear and consistent considering various ways it might be read.
7. Unlikely to trigger photosensitive seizures (flash animation, animated gifs, etc.)

Many internet sites are available with tips for improving your online class accessibility

Including:

- Web Accessibility in MIND (WebAIM) which provides web trainings and technical assistance. www.webaim.org
- The California Community College Accessibility Center whose mission is to “proactively assesses the community college system's needs and provides technical expertise, policy guidance, and implementation solutions specific to information and communication technology (ICT) accessibility for individuals with disabilities.” www.cccaccessibility.org

Barrier-Free Syllabus

ACCESS recommends that each course syllabus contain a statement reflecting compliance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973. Ideally, faculty should provide a detailed syllabus that includes course objectives, weekly topics, classroom activities, required reading and writing assignments, and dates of tests, quizzes, and vacations; this provides valuable information to all students and allows students with disabilities to identify the accommodations they will need to request for that class as well as arrange for materials in an alternate format, if necessary. Whenever possible, provide syllabi and other course materials in an electronic format to provide direct access.

A simple statement on your syllabus such as the samples below will make an effective introduction for you to any students in your class with disabilities. It informs the student that it is all right for them to approach you and discuss their limitations and what accommodations they will need.

“Students with disabilities who may need academic accommodations should notify the professor within the first two weeks of instruction. All information will be kept strictly confidential.”

“If you have a disability for which you are or may be requesting an accommodation, you are encouraged to contact both your instructor and the ACCESS Resource Center at (760) 245-4271 ext. 2212, as early as possible in the semester.”

If you are teaching an online course, you may want to include this statement on your syllabus:

“I have made every effort to make this course accessible to all students, including students with disabilities. If you encounter a problem accessing anything in this course, please contact me immediately. Students with disabilities should email me and also contact the college’s ACCESS Resource Center.”

You may need to have your syllabus made available in an alternative format such as large print, Braille, audio or computer; the ACCESS Resource Center’s staff will be able to assist you in providing this accommodation to students.

Some students may choose not to use accommodations in your class if their educational limitations are already supported by your teaching/learning style. Students may contact you after the first two weeks of class asking for accommodations. Remember that you are not required to offer any accommodations until the student requests them. This may seem awkward, especially if it is just before the final, but students are not required to use the accommodations.

At times, even notification during the first two weeks of class is not early enough to coordinate some accommodations. When difficulty arises, the ACCESS Resource Center counselor and you, the class instructor, may need to discuss alternatives with the student.

Legalese

The Rehabilitation Act of 1973, Section 504 states:

No otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, 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.

U.S. Department of Education www2.ed.gov/about/offices/list/ocr/docs/

The Rehabilitation Act of 1973, Section 508 requires:

Electronic and information technology used by public agencies be accessible to people with disabilities. The law also requires that disabled people have access to information and services comparable to that available to others.

The Federal Communications Commission: <https://www.fcc.gov/general/section-508-rehabilitation-act>

The Americans with Disabilities Act (ADA) of 1990 provides a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities. The ADA applies to all institutions of higher education, regardless of receipt of federal funds.

Department of Justice <https://www.ada.gov/pubs>

The Americans with Disabilities Act Amendment Act (ADAAA) of 2008 with final regulations in 2011 - made it easier for an individual seeking protection under the ADA to establish that he or she has a disability within the meaning of the statute. The Act emphasizes that the definition of disability should be construed in favor of broad coverage of individuals to the maximum extent permitted by the terms of the ADA and generally shall not require extensive analysis. *Equal Employment Opportunity Commission* www.eeoc.gov/statutes/americans-disabilities-act-amendments-act-2008

Title 5 of the California Education Code states:

Any support services or instruction funded, in whole or in part, must:

(a) not duplicate services or instruction which are otherwise available to all students;

- (b) be directly related to the educational limitations of the verified disabilities of the students to be served;
- (c) be directly related to the students' participation in the educational process;
- (d) promote the maximum independence and integration of students with disabilities; and
- (e) support participation of students with disabilities in educational activities consistent with the mission of the community colleges as set forth in Education Code Section 66701.

California Department of Education <https://www.cde.ca.gov/ls/fa/sf/title5regs>

Assembly Bill 422 was passed in California effective January 1, 2000. It requires publishers of instructional material to provide the material at no cost in an electronic format for use by students with disabilities at the University of California, California State University and California Community Colleges. The electronic text supplied by a publisher may be used to produce large print, translated and sent to a Braille embosser or accessed directly with speech synthesizers or refreshable Braille displays.

California Legislative Information website <http://leginfo.legislature.ca.gov/AB422>

Board Policy 5140, Disabled Students Programs and Services, insures compliance with state and federal laws. This board policy includes Administrative Procedure, Academic Accommodations for Students with Disabilities, and academic adjustments, accessible facilities, equipment, instructional programs, rehabilitation counseling and academic counseling.

Victor Valley College Board Policies www.vvc.edu/offices/Board_of_Trustees/Board_Policy_Manual

Victor Valley College is therefore legally bound to prohibit discrimination against persons with disabilities in the recruitment process, the admissions process and the educational process. Students with documented disabilities are entitled to appropriate academic adjustments or auxiliary aids that will enable them to participate in and have the opportunity to benefit from all educational programs and activities of the college community

ACADEMIC ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

The purpose of academic accommodations is to allow students with disabilities access to the same educational opportunities available to other students. The procedures herein are intended to provide for consistent and timely processing of requests for academic accommodations.

Section 504 of the Rehabilitation Act of 1973 ensures that students with disabilities are allowed “academic adjustments” and “auxiliary aids.” Accommodations may include the modification of the course delivery and/or evaluation process, course substitution or waiver, as well as allowing for the use of electronic devices. The most common accommodations for the classroom are extended time on tests, note-takers, sign language interpreters, and recording of lectures.

Requests for accommodations are determined on a case-by-case basis. There may be circumstances when a particular accommodation may require the modification of some aspects of a course program. However, the goal is to ensure that the essential elements of the course are not fundamentally changed. Requests for accommodations that would fundamentally alter the course or program will not be granted. Direct and open communication is encouraged early in the academic accommodation process.

1. REQUEST FOR ACADEMIC ACCOMMODATION

- a. Students who request academic accommodations are responsible for contacting the ACCESS Resource Center office. Students who make a request directly to the faculty should be referred to ACCESS Resource Center.

- b. Students are responsible for providing professional documentation of a qualified disability to ACCESS Resource Center.
- c. If the student does not have appropriate verification of a Learning Disability, contact ACCESS Resource Center to initiate an assessment to determine and document a learning disability.
- d. The ACCESS Resource Center Counselor/Faculty, in consultation with the student, shall recommend appropriate accommodations. The recommendations shall be documented by ACCESS Resource Center and a copy provided to the student. The student will provide this documentation to his/her instructors.

2. ACADEMIC ACCOMODATION RESOLUTION

The student, classroom faculty or ACCESS Resource Center faculty may dispute an accommodation. If there is a dispute, the accommodation(s) originally authorized by ACCESS Resource Center will be provided during the problem resolution process and subsequent challenges.

a) Informal Resolution Procedure

- 1) An instructor who has questions or disagrees with an accommodation requested by a student with a verified disability must promptly contact the ACCESS Resource Center faculty who authorized the accommodation(s).
- 2) The ACCESS Resource Center faculty will convene an informal meeting of appropriate representatives (i.e. student, ACCESS Resource Center counselor, ACCESS Resource Center Director, instructor and/or discipline department chair) within 5 instructional days following the notification of the disputed accommodation(s). Every effort shall be made to resolve the matter informally.

b) Formal Resolution Procedure

- 1) If there is no agreement with the informal resolution, the student or the instructor of the ACCESS Resource Center faculty may provide a written complaint to the compliance officer responsible for 504 matters (Director of Human Resources) within 5 instructional days of notification of the informal resolution.
- 2) The compliance officer responsible for 504 matters will review the written report and carefully research the facts. Written notification of his/her decision will be provided within 5 instructional days of receipt of the complaint.

AP 3440 Service Animals

The District will allow an individual with a disability to use a service animal in District facilities and on District campuses in compliance with state and federal law. The District will allow an individual with a disability to use a miniature horse as a service animal in District facilities and on District campuses if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability and the District has determined, based on the assessment factors provided in this procedure, that a reasonable accommodation can be made. The District will allow an individual with a disability to be accompanied by his/her service animal in all areas of the District's facilities where members of the public, invitees, clients, customers, patrons, or participants in services, programs or activities, as relevant, are allowed to go. These procedures shall also be applicable to an individual who is training a service animal.

Service Animal Defined

A "service animal" for purposes of this procedure means any dog (or miniature horse, as provided herein) that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Exceptions

The District may ask an individual with a disability to remove a service animal from the premises if:

- The animal is out of control and the animal's handler does not take effective action to control it; or
- The animal is not housebroken. If a service animal is excluded under one of these exceptions, the District will give the individual with a disability the opportunity to obtain goods, services, and accommodations or to participate in the service, program, or activity without having the service animal on the premises.

Assessment Factors for Miniature Horses

The District shall consider the following factors:

- The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- Whether the handler has sufficient control of the miniature horse;
- Whether the miniature horse is housebroken; and
- Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

Control

The service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

Care or Supervision

The District is not responsible for the care or supervision of the animal.

Inquiries by the District

The District may make two inquiries to determine whether an animal qualifies as a service animal:

- Whether the animal is required because of a disability; and
- What work or task the animal has been trained to perform.

The District will not make either of these inquiries when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability). An individual may choose to produce a county service dog license or identification tag as proof that the animal is a service animal. Licensure or certification is not required in order to meet the definition of service animal under this procedure. There are no licensing or certification requirements for miniature horses.

No Surcharge

The District will not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. If the District normally charges individuals for damage caused by pets, an individual with a disability may be charged for damage caused by his or her service animal.

References:

Civil Code Sections 54 et seq.; Penal Code Section 365.5; The Americans with Disabilities Act of 1990 – 42 United States Code Section 12101 et seq.; 28 Code of Federal Regulations Part 35; 28 Code of Federal Regulations Part 36; 34 Code of Federal Regulations Part 104.44(b)