

California State University San Bernardino

Services to Students with Disabilities

Faculty Handbook for Students with Disabilities

California State University system is strongly committed to ensuring that qualified students with documented disabilities are provided with an equal opportunity to participate in the various educational, recreational and social activities at the University. Federal legislation mandates that the University provide reasonable accommodations that afford all students an equal opportunity. On the California State University, San Bernardino (CSUSB) campuses, Services to Students with Disabilities (SSD) has been delegated the authority to certify disabilities and to prescribe specific accommodations for students with documented disabilities. Achieving reasonable accommodations is a shared responsibility between students, faculty and staff. The following is an introductory overview of support services and accommodations available, implementation of these services and accommodations, student and faculty rights and responsibilities, and evacuation procedures.

In addition, services for individuals with disabilities are provided by the University's Americans with Disabilities Act Coordinator (ADA) for all faculty and staff. The ADA Coordinator at CSUSB functions at the designated University official to:

- Ensure that issues, concerns and complaints that arise in the various distributed areas of the University with designated responsibility for ADA compliance, such as SSD, Facilities Services, Parking and Capital Planning and Development, are appropriately addressed within the structures of the University.
- Ensure that appropriate University resources are identified to promote programs of awareness related to ADA and other disability education.

The Mission of Services to Students with Disabilities

California State University, San Bernardino's Services to Students with Disabilities Office (SSD) is strongly committed to ensuring that qualified students with documented disabilities are provided with an equal opportunity to participate in the various educational, recreational and social activities at the University. The primary role of the SSD office is the provisions of academic accommodations for students with a documented, temporary or permanent, physical, sensory or psychological disability.

Academic accommodations for students with disabilities are determined on an individual basis by the student's counselor. Types of reasonable accommodations that may be provided include but are not limited to: priority registration, extended-testing time, cart service, adaptive equipment, use of assistive technology lab, notetaking, alternative format materials of print materials, interpreters, captioning, alternative furniture, seating adjustments, and enlarged exams. An overview of reasonable accommodations and additional support services are discussed below.

Examples of typical accommodations include:

- Reading lists, textbooks or syllabi ordered in advance to permit time to transfer material into an alternate format
- Text in Braille, electronic text (e-text), audio tape and enlarged
- Seating in the front of class without glare from windows
- Tape-recording class lectures and discussions
- Notetakers and note-taking devices such as pocket Braille computers
- Clear black print on white paper or pale yellow paper
- Testing accommodations: enlarged exams, scribe, reader, taped exams, extended-testing time, magnification/speech output software and distraction-free and reduced-distraction-free spaces
- Priority registration

Student Rights and Responsibilities

Every student with disabilities at CSUSB has the right to:

- Equal access to courses, programs, services, jobs, activities, and facilities available through the University
- Reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids determined on a case-by-case basis
- Appropriate confidentiality of all information pertaining to his/her disability with the choice of whom to disclose their disability to except as required by law
- Information reasonably available in accessible formats

Each student must meet or exceed the essential requirements of California State University, San Bernardino (CSUSB), and its programs with or without accommodations. Although the Americans with Disabilities Act of 1990 (ADA) protects the civil rights of qualified students with disabilities, it also affirms their right to refuse any accommodation. Thus, students are not required to register with SSD, identify themselves to instructors, staff, or other students as having a disability, or accept accommodations they do not need or want.

However, if students wish to compete with their peers on a level playing field and if they wish to enjoy their right to access and equality, they must advocate for those rights.

Every student with a Disability has the responsibility to:

- Meet the University's qualifications and essential technical, academic, and institutional standards
- Identify themselves in a timely manner as individuals with a disability when seeking an accommodation
- Provide documentation from an appropriate professional source that verifies the nature of the disability, functional limitations, and the need for specific accommodations
- Follow specific procedures for obtaining reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids

FACULTY RESPONSIBILITIES

California State University, San Bernardino (CSUSB) Faculty in partnership with Services to Students with Disabilities (SSD) need to cooperate with the SSD office in providing accommodations/support services for students in a fair and timely manner.

Responsibilities include:

- Provide timely access to course materials for students with disabilities, especially those students who require course materials in alternative formats. Since the U.S. Department of Education Office of Civil Rights has articulated "timely" to mean at the same time as all other students receive the information, faculty need to allow sufficient time for the materials to be converted to alternate formats (i.e., Braille, audio tape, large print, E-text)
- Review the Memo (Accommodation) Letter upon presentation from a student who is registered with the SSD office
- Review, complete and sign the Student Request for Exam Assistance Form so that the student can return the form to the SSD office to ensure timely service
- Provide a copy of testing materials in advance to the SSD office in situations where alternative formats are requested as a reasonable accommodation
- Consult with the SSD office or students counselor if there are any questions or concerns regarding implementation of assigned accommodations
- Provide a classroom environment that is harassment-free in nature and nondiscriminatory for students with disabilities

Faculty is encouraged to make an announcement at the beginning of each class to inform students that there is an office for students with disabilities to receive services. It is suggested that faculty provide time during office hours to assist a

student who wishes to inquire about SSD services. Questions regarding a student's disability should be conducted in a private setting to ensure confidentiality.

DISABILITY LAW

Services to Students with Disabilities abides by California statutes and national legislation that pertains to individuals with disabilities.

California Education Code

www.leginfo.ca.gov

California Law consists of 29 codes, covering various subject areas and the Education Code is but one of these. All California State Universities are accountable to the regulations and statutes stated in the California Education Code that pertain to post-secondary institutions.

Section 504, Rehabilitation Act of 1973

www.usdoj.gov

The Rehabilitation Act of 1973 was the first "rights" legislation to prohibit discrimination against people with disabilities. However, this law applied only to programs conducted by Federal agencies, those receiving Federal funds, such as colleges participating in federal student loan programs, federal employment, and employment practices of business with federal contracts. This is also the Federal legislation that authorizes the formula grant programs of vocational rehabilitation, supported employment, independent living, and client assistance. Among the sections that pertain to individuals with disabilities is Section 504.

Section 504 states that "no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under" any program or activity that either receives Federal financial assistance or is conducted by any Executive agency or the United States Postal Service.

"Qualified" with respect to post-secondary educational services, means "a person who meets the academic and technical standards required for admission or participation in the education program or activity, with or without reasonable modifications to rules, policies or practices; the removal of architectural, communication or transportation barriers; or the provision of auxiliary aids and services."

Americans with Disabilities Act of 1990

www.ada.gov

The Americans with Disabilities Act of 1990 (ADA) is the most comprehensive federal civil rights legislation protecting the rights of individuals with disabilities. The ADA addresses the barriers and discrimination that people with disabilities have

traditionally faced. According to the ACA, a person with a disability” means “any person who 1) has a physical or mental impairment which substantially limits one or more major life activities [including walking, seeing, hearing, speaking, breathing, learning, and working], 2) has a record of such an impairment, 3) is regarded as having such an impairment.” Disabilities covered by legislation include (but are not limited to) AIDS, Cancer, Cerebral Palsy, Diabetes, Epilepsy, head injuries, hearing impairments, specific learning disabilities, loss of limbs, Multiple Sclerosis, Muscular Dystrophy, psychiatric disorders, speech impairments, spinal cord injuries, and visual impairments.

The Family Educational Rights and Privacy Act (FERPA)

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student’s education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FACULTY SUPPORT FOR STUDENTS WITH DISABILITES

The primary role of the SSD office is the provisions of academic accommodations for students with a documented, temporary or permanent, physical, sensory or psychological disability. Federal legislation mandates that the University provide reasonable accommodations that afford all students an equal opportunity. This includes equal access to textbooks, syllabi, video, additional course materials, computer labs and equal electronic access to course information. Achieving reasonable accommodations is a shared responsibility between students, faculty and staff, and this can be accomplished if faculty provides students with all course materials (e.g. booklists, syllabi, etc.) in a cooperative and timely manner. Faculty can support the continued success of students with disabilities by implementing the practices described below.

Syllabus Statement

It is important that faculty include in each syllabus a statement asking students to inform them of any special needs or a reference to the SSD office to ensure that those needs are met in a timely manner. A further recommendation is that the statement be read aloud by the faculty member during the first week of class. This approach demonstrates to students that you are sensitive to and concerned about meeting the needs of all students. Furthermore, it provided the students with an opportunity to make their academic accommodation needs know to you early in the quarter.

For classes on the San Bernardino campus, the statement should read:

"If you are in need of an accommodation for a disability in order to participate in this class, please let me know ASAP and also contact Services to Students with Disabilities at UH-183, 909-537-5238."

For classes on the Palm Desert Campus, the statement should read:

"If you are in need of an accommodation for a disability in order to participate in this class, please let me know ASAP and also contact Rosie Garza in Services to Students with Disabilities at the Palm Desert Campus in RG-209, 760-341-2883 extension 78117, or at the San Bernardino Campus in UH-183, 909-537-5238, ssd@csusb.edu."

Confidentiality

It is essential that disability information be kept confidential. At no time should the class be informed that a student has a disability, except at the student's request. The SSD office will not disclose a student's disability only that the student has a verified disability and what are the student's specific academic accommodations. All information that a student gives to the faculty member is to be used specifically for arranging reasonable accommodations for the course. To maintain the student's confidentiality, all discussions relating to the student's arrangement of accommodations be discussed in private. (See Accommodation Memo and Request for Exam Assistance Form).

Textbooks, Syllabi, DVDs/Video and additional materials (e.g. course packets, reference articles)

Please make your book selections, syllabi and any additional course materials available in a timely manner. Students who are blind or who have visual impairments, or have learning disabilities affecting their reading rates and comprehension, require printed materials that are transformed into alternate formats. Conversion of text into spoken, electronic or Braille can be a time consuming process, taking as much as three months to complete Braille requests.

Many students will rely on having printed material scanned and saved in a computer format that can be listened to using voice output software. If you will be using various journal articles and additional reference materials, please use original copies or a copy that is as clean as possible. Creating additional materials from second, third and fourth generation copies of material (copies made from copies, etc.) typically cause images of text that are fuzzy. Such blurring often makes it impossible for character recognition software to decipher images as readable text. If your additional material is not of top quality, SSD would appreciate being able to briefly borrow your originals for scanning.

Additionally, if you wish to be very supportive, you may inquire if the publishers of the books you are requesting have created the text in an electronic text (e-text) and/or audiotape versions. California, along with other states, is in the

process of adopting legislation requiring book publishers to automatically create alternative formats for all books they market.

In addition, using captioned versions of videos is recommended for deaf, hard of hearing or for students having other auditory processing difficulties. Typically, you will be contacted by the SSD office if there will be a deaf/hard of hearing student in one of your classes who will require captioning. If you anticipate using a video without captioning, please call the SSD office in a timely manner to discuss the issue. So your forethought, prompt action and cooperation are essential and appreciated.

Tape Record Class Lectures

The use of a tape recorder during class lectures is an assigned accommodation by the student's SSD Counselor and falls under the ADA as such. During the Intake process, the student's SSD Counselor discusses how and when to use this accommodation. Dependent on the student's disability, tape recording class lectures is allowed and the student is instructed to erase (or dispose of) the tapes as soon as the class is over. As this is the right of the student who has been assigned this accommodation, we ask the faculty member to ensure that the student's accommodation be carried out in an appropriate manner. If the faculty member has any questions or concerns regarding this specific accommodation, we ask that you please contact our office or the student's SSD Counselor.

Use of Alternate Furniture

Many students with a verified disability are assigned the use of an Alternate Table and chair as an accommodation. Typically, there is not an issue concerning this accommodation and the student is informed during the Intake process of what to do if a problem arises. We ask that the student contact us or if there is an immediate need, we ask that the student consult with the faculty member. Although it may not appear that a particular student may need such an accommodation, the use of the Alternate Table and Chair has been assigned by an SSD Counselor and the student has the right to utilize their accommodation.

Receiving a Memo From SSD

SSD memos state that the student has a verified disability and what accommodations have been assigned to that student by the student's SSD Counselor. The accommodations assigned in these Memos are intended to provide students with disabilities equal access to the course content. SSD does not ask that faculty members modify essential course requirements for the sake of the student. Any faculty member considering denying an accommodation because it modifies an essential course requirement should consult with the SSD office. If you have any questions or concerns regarding the Memo Request, please contact the authorizing staff member whose name appears on the student's memo.

Testing Accommodations

Many students with disabilities served by SSD have testing accommodations. Faculty may choose to provide the student with his/her testing accommodation(s) or have SSD proctor exams/quizzes. If faculty choose to proctor their own exams, they must provide the accommodations determined appropriate by SSD. For exams/quizzes proctored by SSD, students will provide an SSD form in advance (at least 5 days) of the scheduled exam/quiz date for the instructor to review and sign so that testing can be coordinated through SSD. Students sign a statement regarding academic integrity to test in SSD, all exams are actively proctored, and students are only permitted materials approved by their instructor (e.g., open book, calculator) during the exam.

CONFLICT RESOLUTION PROCEDURE

Purpose

The Office of Services to Students with Disabilities (SSD) is committed to ongoing and open communications between its students and its office staff. It is SSD's experience that open communication is essential to providing the best services to students. SSD believes that questions, concerns, problems or complaints that are left unresolved will negatively impact a student's educational experience as well as the mission and goals of the Office.

Procedure

This procedure encourages students to communicate directly with the Office regarding any matter and summarizes the clear choices/options available to resolve conflict. See the Student Resource Guide on our website for complete details about the procedures students follow regarding A) complaints about disability accommodations, B) complaints about decisions made by SSD about delivery of disability accommodations, C) complaints about staff, and D) complaints about alleged discriminatory practices and decisions regarding eligibility.