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## GENERAL INFORMATION

### **It's All About ACCESS!**

We hope all students of Connors State College go on to earn advanced degrees and/or training and experience a fulfilling life. The College attempts to offer the best services possible to all of its students. When speaking about services for students with disabilities, the emphasis is primarily about ACCESS for students who are otherwise qualified. It's not about any (guarantees) of SUCCESS.

Students who come directly to our campus from high school programs provided under the "Individuals with Disabilities Education Act" (IDEA) may have experienced program modifications designed to assure some form of success. It is not uncommon for students, parents, public school personnel or clinicians to assume that IDEA-type program modifications will be available in community colleges. They are not. IDEA governs K-12 public schools. It does not apply to post-secondary education.

### **Federal Regulations**

Section 504[29 USC 94] of the Rehabilitation Act of 1973, as amended (most recently in 1998), begins with these words:

"No otherwise qualified individual with a disability...shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving federal financial assistance...". Section 504 of the Rehabilitation Act of 1973, applies to any college or university that receives federal funds in any program. Title II of the Americans with Disabilities Act has similar language, and expanded Section 504 protection to private business.

The Americans with Disabilities Act of 1990 (ADA), Public Law 101-336, was enacted on July 26, 1990, to provide a clear and comprehensive mandate for the elimination of discrimination against individuals with disabilities. This federal legislation requires equal treatment of people with disabilities in employment, public services and transportation, public accommodations, and telecommunications services. Section 202. Discrimination. 42 of the ADA begins with these words: [USC 12132]

*"Subject to the provisions of this title, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity."*

Connors State College is a public entity, as set forth in Title II of the ADA. Thus, it is subject to the requirements of the Americans with Disabilities Act as well as the Rehabilitation Act of 1973. Title II of the ADA prohibits discrimination against qualified individuals with disabilities with regard to the services, programs, and activities at Connors State College. CSC is also prohibited from discrimination against qualified individuals in its practices, pursuant of Title I of the Americans with Disabilities Act.

## **Compliance Statement**

CSC is committed to the spirit and letter of the Americans with Disabilities Act. The college is also committed to the nondiscrimination provisions of Section 504 of the Rehabilitation Act of 1973. Under Section 504, the College has instituted various administrative policies, and procedures to ensure nondiscrimination against individuals with disabilities. These policies, practices, and procedures have been amended to comply with requirements of the Americans with Disabilities Act and Section 504.

Accordingly, “no qualified individual with a disability shall, by reason of such disability, be either excluded from participation in or be denied the benefits of the services, programs, or activities” of CSC. Moreover, no qualified individual with a disability shall be discriminated against because of the disability of that individual with regard to job application procedures, the hiring or discharge of employees, compensation, advancement, job training, and other terms, conditions, and privileges of employees.

## **Compliance Responsibility**

Responsibility for coordinating CSC’s compliance with the requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act as to student accommodations resides with the ADA Coordinator (918.463.6365). The CSC Director of Human Resources (918.463.2931) is responsible for coordinating accommodations relating to workplace accommodations.

# TRANSITION FROM HIGH SCHOOL TO COLLEGE

**LAWS:** Different Laws apply

IDEA (Individuals with Disabilities Education Act) and Section 504 of the Rehabilitation Act of 1973 are very different, leading to miscommunication between college and high school staff that has studied only the statues applying to their institution. In high schools, for example, under IDEA, the procedures of special education programs may apply primarily to a specific list of disabilities such as “specific learning disability”. High school students who are in wheelchairs, may fall under a subpart of Section 504 of the Rehabilitation Act and be referred to as their “504” clients. They will develop IEPs (Individual Education Plan) for these students simply because that is the procedure they have been required to follow under their IDEA mandated program. However, Section 504 does not create requirements for IEPs in either high school or post-secondary institutions.

This misunderstanding comes from the practice of assuming that the IEP or “504 Plan” developed at a high school will be binding on a college or university. It does not.

## **HIGH SCHOOL:**

- ✓ Individuals with Disabilities Education Act (IDEA)
- ✓ Section 504 of the Rehabilitation Act of 1973 (See Subpart D)
- ✓ Americans with Disabilities Act
- ✓ Civil Rights Restoration Act

## **POST SECONDARY (Collegiate):**

- ✓ Section 504 of the Rehabilitation Act of 1973
- ✓ Americans with Disabilities Act
- ✓ Civil Rights Restoration Act

## **DIFFERENCES:**

**At the secondary level the high school has responsibilities, which include the following:**

- ✓ Identify students with disabilities
- ✓ Provide assessment of learning disabilities as well as services
- ✓ Classify disabilities according to specified diagnostic categories
- ✓ Involve parents or guardians in placement decisions
- ✓ Provide certain non-academic personal services
- ✓ Place students in programs where they can benefit (in any way) by a placement committee with parent participation and approval
- ✓ Structure a large part of the student’s weekly schedule
- ✓ Modify educational programs
- ✓ Prepare Individualized Education Plans (IEP’s)
- ✓ Provide a free and appropriate education
- ✓ Provide appropriate services by the school nurse or health service

**The role of the collegiate level institution changes as follows:**

- ✓ Reasonable protection of a student’s right to privacy and confidentiality as an adult
- ✓ Provide access to programs and services, for persons with disabilities
- ✓ Inform students of office location and procedures for requesting accommodations
- ✓ Accept and evaluate verifying documentation
- ✓ Determine that a mental or physical impairment causes a substantial limitation of a major life activity (see definition of disability) based on student–provided verifying documents
- ✓ Determine for students who are otherwise qualified for participation in the program or service with or without accommodations, whether a reasonable accommodation is possible
- ✓ Make reasonable accommodations for students who meet the above qualifying criteria
- ✓ Provide reasonable access to program and service choices equal to those available to the general public
- ✓ Suggest reasonable adjustments in teaching methods which do not alter the essential content of a course or program
- ✓ Assure that off-campus and contracted programs facilities also comply with Section 504 (Subpart E) and ADA
- ✓ Inform students of their rights and responsibilities

(Other differences may exist for post-secondary institutions)

## **WHEN DOES A STUDENT NEED TO PROVIDE INFORMATION ABOUT HIS OR HER DISABILITY?**

If the student needs accommodations, the student should provide the information and documentation at a reasonably early date (four weeks) to allow time for the development and arrangement of appropriate accommodations. In some cases, as when books on tape need to be requested from the Visual Services division of Vocational Rehabilitation Services in Muskogee, several weeks advance arrangement is needed.

- Self-disclosure and documentation can be initiated anytime during the year. However, reasonable time must be allowed before the student can expect accommodations to be in place.
  - Self-disclosure about a student’s disability is, however, a very private matter.
  - Self-disclosure and the documentation steps are required only if students plan to request reasonable accommodations.

Accommodations cannot be retroactive, and begin only after documentation is received and reasonable time for accommodation development has been allowed.

## WHAT ARE THE STUDENT'S RESPONSIBILITIES?

In contrast to the student's responsibilities in high school, the student's responsibilities become very important at the collegiate level. Any student with a disability must act to identify the disability; and if desiring to request accommodations, must take specific action to request such accommodations for their disabilities. They must also provide verifying documentation such as psycho-educational test results, medical documents and doctor's statements. The documentation must verify the disability, describe the extent of the impairment and provide information, which supports the need for and design of specific accommodations.

### The Student Must:

- ✓ **Self-Identify** or disclose their disability to the office of the ADA Coordinator on the Warner campus. (918.463.6365)
- ✓ **Provide** verifying documentation to that designated office. (The ADA Coordinator will evaluate disability documentation and determine the accommodation parameters to suggest to appropriate faculty and staff.)
- ✓ **Obtain** assessment and test results and provide them as requested by that office.
- ✓ **Act** as independent adults, use appropriate self-advisory strategies
- ✓ **Arrange** their own weekly schedules
- ✓ **Contact** their instructors to activate and adopt accommodations for each class.
- ✓ **Arrange** for and obtain their own personal attendants, tutoring and individually fitted or designed assistive technologies.

### POST SECONDARY INSTITUTIONS ARE *NOT* REQUIRED TO:

- ✓ **Reduce** or waive any of the essential requirements of a course or program
- ✓ **Conduct** testing and assessment of learning, psychological or medical disabilities
- ✓ **Provide** personal attendants
- ✓ **Provide** personal or private tutors; however, tutoring services normally available to persons without disabilities must be accessible to person with disabilities who are otherwise qualified for those services
- ✓ **Prepare** "Individual Education Plans" (IEPs)
- ✓ **REMEMBER:** Privacy: Students in colleges and universities are considered adults, with privacy and confidentiality protections. College staff cannot talk with parents and guardians about a student's academic activities as was typical in K-12.

Eligibility for special education services in high schools is diagnosis driven (i.e., the student must be diagnosed as having disabilities specified in I.D.E.A.). Eligibility for reasonable accommodations in post-secondary/collegiate level is driven by the severity of impact on a major life activity (i.e., "a mental or physical impairment which significantly limits a major life activity").

College students must structure and plan their own study time; colleges do not arrange study periods or provide for time to do homework during classes.

Professors and classes may differ regarding attendance requirements, scheduling of assignment due dates and exams. The student must study each professor's syllabus for each class.

Once again, students with disabilities must act to identify their disabilities; must take specific action to request accommodations for their disabilities, if desiring to request accommodations; and must provide verifying documentation such as psycho-educational test results, medical documents and doctor's statements. The documentation must verify the disability, describe the extent of the impairment and provide information, which supports the need for and design of specific accommodations.

## FREQUENTLY ASKED QUESTIONS

### **What are some examples of disabling conditions covered by the legislation?**

Here is a list of disabling conditions that are covered and thus, entitle a student to receive learning support services while attending Connors State College:

- Learning Disability
- Physical Disability
- Attention Deficit Disorder
- Psychological Disability

Definitions and related physical features will be addressed in the next section briefly. For more detailed information see “Definition of Terms” section.

### **Is it unlawful for the institution to terminate the enrollment of a student who poses a direct threat to others?**

No. An institution is not required to accept or retain a student who poses a direct threat to the health or safety of others. "Direct threat" is defined as a "significant" risk of "substantial" harm that cannot be eliminated by reasonable modifications or the provision of auxiliary aids or services. The assessment of whether a student poses a direct threat of harm must be individualized and based on current medical knowledge or on the best available objective evidence.

## LEARNING DISABILITIES

Federal Definition (P.L. 94-142)

A Learning Disability is defined as a permanent disorder in one or more of the basic psychological processes involved in understanding or using language (spoken or written), which may manifest itself in an imperfect ability to listen, speak, read, write, spell, or to do mathematical calculations.

The term does not include individuals with learning problems that are primarily the result of visual, hearing or motor handicaps, mental retardation, emotional disturbance, autism, or environmental, cultural, or economic disadvantages.

More specifically, a learning disability affects the manner in which an individual with normal to above average intelligence takes in (input), retains (stores), or expresses information (output). For instance the incoming information may become scrambled, diverted or delayed in one of the following areas: reading comprehension, written expression, spelling, math computation, problem solving ability, organizational ability, time management ability, visual, auditory and tactile perception or spoken language (Lerner, 1981; Myers 1982).

A distinct learning disability frequently reported as Dyslexia (Wardeman, 1997). Dyslexia is a specific language-based disorder characterized by difficulties in single word decoding, usually reflecting insufficient phonological processing. Persons with dyslexia do not necessarily exhibit identical characteristics. Some people may have severe problems in several areas such as reading, writing, spelling, listening and remembering, while others may have difficulty in areas such as organizing retrieval

of language. However, one common characteristic of a student with dyslexia is a propensity to reverse or omit letters or words.

## **PHYSICAL DISABILITIES**

Categories of physical disabilities, which are covered under the legislation, include but are not limited to:

- AIDS
- Cancer
- Diabetes
- Head/Head Injury
- Loss of Limb
- Multiple Sclerosis
- Spinal Cord Injuries
- Visual Impairment
- Speech Impairment

### **Head Injury Categories**

**Closed Head Injury:**

Head injury resulting from rapid acceleration/deceleration (head is whipped back and forth in quick motion). This type of injury typically occurs in motor vehicle accident.

**Open Head Injury:**

A visible assault to the head which may be the result of an accident, gunshot wound or a variety of other outside factors.

**Acquired Head Injury:**

Head injury, which occurs following cardiac arrest, stroke or accident such as drowning and many other causes due to loss of oxygen to the brain.

**Minor Head Injury:**

Trauma in which the head is struck, or moves violently, resulting in transient alteration of consciousness for which a person may not require hospitalization.

## **ATTENTION DEFICIT DISORDER (ADD)**

Most of the physical conditions listed are associated with physical features or symptoms that are apparent to the human eye, with the exception of head injury. In fact, a head injury (which is defined as traumatic insult to the head) may cause physical changes but is often associated with learning and emotional impairments, which are not readily apparent to the human eye.

ADD is presumed to be a neurobiological disorder that interferes with an individual's ability to sustain attention or focus on a task and delay impulsive behavior. There are three clusters of symptoms associated with Attention Deficit Disorders; hyperactive, distractible, and/or impulsive. A student might demonstrate one, two, or all three of these.

### Hyperactivity:

The adult student may not be running around the room “climbing the walls.” However, he or she appears to be in constant motion. For example, fingers or feet tapping, legs swinging, or body is wiggling in the chair.

It is important to understand that there are two different types of hyperactivity. One caused by a particular situation, which may cease when the situation changes or the student learns to cope with stress. The other ADHD is caused by neurological differences in the student’s head.

### Distractibility:

Some students have difficulty filtering out unnecessary inputs. Therefore, they are easily distracted and have a short attention span. Other students have problems with visual inputs. For instance, the movements of people, chalkboard color, or environmental arrangements may distract them. Difficulty with sound inputs; such as people talking, car horns, beeping, telephone ringing are also frequently reported problems.

### Impulsivity:

Some students seem to have a short fuse. They do not stop to think before they act. They say something and are sorry they said it before they finish. They answer the teacher’s questions before he or she finishes asking. They get angry, yell, and sometimes hit. They do not learn from experiences because they cannot pause long enough to reflect before they act.

## **PSYCHOLOGICAL DISABILITIES**

Any persistent psychological or psychiatric disorder or emotional mental illness resulting in impairment of educational, social or vocational functioning as reported by a mental health professional, based on a diagnosis from the American Psychiatric Association’s Diagnostic and Statistical Manual of Mental Health Disorders (DSM-IV).

### Examples of Mental Health Disorders:

#### Depressive Disorders

- Major Depression
- Bipolar Depression

#### Anxiety Disorders

- Post-Traumatic Stress
- Panic Disorder
- Phobias
- Generalized Anxiety Disorder
- Obsessive Compulsive Disorder

#### Psychotic Disorders

- Schizophrenia
- Delusional Disorder

#### Other

- Attention Deficit Disorder\*\*
- Personality Disorder
- Substance Use Disorder

\*\*Most common psychological disability reported to the Learning Disability Specialist.

# EXAMPLES OF LEARNING ACCOMMODATIONS USED TO ASSIST STUDENTS WITH A DISABILITY

Academic Accommodations for students with disabilities are made on an individual basis, with input from the student and the instructor.

## Tutor:

An individual who is retained to assist the student with comprehension of course related materials and subsequent assignments (e.g. studying, term papers, exam preparation, etc.)

## Reader:

An individual who is retained to read printed material in person or onto an audiotape. The role of the reader is simply to read, not interpret, what is presented; interpretation of test questions is inappropriate.

## Note Taker:

An individual who is retained to take notes for the student during class lecture. Both the note taker and the individual are required to attend the lecture.

## Calculators:

Four-function hand held, desktop, graphic, or talking calculators that emit synthesized speech may be used to assist the learning disabled students.

## Audio Recorder:

These electronic devices are often used in class to record lectures. The student should seek permission of the faculty member before recording any lectures. In light of the fact that many faculty members plan to publish the information being recorded, student will be asked to sign an agreement (see Appendix D) not to release the recording, as it might interfere with the copyright process.

## Sign Language Interpreters:

Students with hearing loss may request the use of a sign language interpreter during class, tutoring and testing.

## Proof-Reader:

Proof-readers help students who have particular difficulty in their written work, such as the inability/limited ability to locate spelling and punctuation errors. The role of the proof-reader is not to do the written assignment for the student, but to check for errors.

## Time:

Adjust the time line allotted/allowed for learning, task completion and examinations. For example extend time for completing examinations and assignments, which are to be completed in a brief amount of time.

# GENERAL PRINCIPLES OF DOCUMENTATION

(For the student)

## Key Idea: Current Functional Impact

### Purposes:

Jane Jarrow, Ph.D., President of DAIS and former Executive Director of AHEAD (Association on High Education and Disabilities), the purpose of documentation is "...to establish that one is a student with a disability and has a need for accommodation, the student must provide adequate documentation from an appropriate source as to their status as a person with a disability and the functional limitations created by the disability that may be addressed through accommodation."

## Diagnosis and Degree of Severity

The first purpose of verifying documentation is to establish the existence of a disability as defined under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. *Under these statutes, the severity of a disability or degree of impact on life functions is more important than the name given the impairment or the diagnosis, although both are important.*

To establish the existence of a disability under these statutes, the documentation must demonstrate that the condition is a "...mental or physical impairment that substantially limits a major life activity...". Life activities that are typically of great importance to college students are such functions as reading, listening, walking, writing, learning, and speaking, as well as the basic functions of eating, sleeping, sitting, etc.

What else is needed? Please read further!

## Current Functional Impact

In order for the College to be able to determine whether reasonable accommodations can be designed and what those accommodations can be, it needs detailed information about the CURRENT IMPACT of the disability. Section 504 of the Rehabilitation Act and the Americans with Disabilities Act specifically restrict colleges from having pre-packaged accommodations that can be taken from the shelf, so to speak, and automatically provided to persons based on the diagnostic name or category of the disability. Colleges must look at each individual's disability and the functional impact of the disability(ies).

However, merely establishing the existence of a disability under Section 504 and ADA does only one thing, it indicates that the individual has the right to access programs and services. It does not mean that a need for accommodations has been supported.

Objective details, sub-scores of testing, descriptive information specifying what functions are limited, how and to what degree, etc. are also needed. This information improves the college's ability to identify accommodation resources available on campus, and those available in different academic disciplines, and apply those resources to assure the best possible reasonable access to programs and services.

Where national guidelines are available, where licensing board accommodations practices are known, or where the documentation needs for specific professions are available, ask that your psychologist, psychiatrist, physician or other professions take those into consideration and provide information that will be of maximum use for you in the widest number of settings as possible.

## Objective Verifying Information

Objective, quantified information is needed to establish and describe the functional impact of disabilities. In most cases, more than one assessment instrument must be used and reported. Adequate observations must have been recorded and reported to establish a long-term pattern of impairment (*temporary disabilities are not covered by Section 504 or ADA, although in some cases the College will provide courtesy services*).

“Diagnoses” based totally on subjective reports of behavior tend to be very weak as verifying documentation, and do not provide strong support for accommodations.

Professional reports that include findings reported with such terminology as “...shows some suggestions of...” or “...suggests referral for additional assessment for...” or “...indications of learning difficulties...” are *not* diagnostic conclusions that establish a “...mental or physical impairment that substantially limits...”, nor would such terminology typically accompany a report that adheres to the Diagnostic and Statistics Manual published by the American Psychiatric Association standards.

## Who Must Provide Verifying Documentation?

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act are quite specific. The person using programs and services must provide the documentation. This is the case for persons with mobility disabilities and all of hundreds of possible disabling conditions. We understand that can mean considerable expense for students or their families. Whenever possible, the Vice President for Student Services will help a student identify agencies or services where they may be able to seek examinations and testing with minimal or no cost.

In most cases, documentation will be needed from doctoral level professionals such as psychologists, medical doctors, psychiatrists or neurologists. The professional should be experienced in diagnosing and treating the disability, should prepare the documentation on appropriate clinical stationery, should sign the document and should be able to provide the College with verification of their experience and expertise in the specialty if asked.

The College *does not* provide testing for disabilities. That may contrast with the practice experienced by persons with learning disabilities, for example, in high school or elementary school.

## Current Documentation

Ask yourself what describes the CURRENT functional impact of the disability. Obviously the answer differs for different situations and conditions. In general, colleges and universities across the nation ask for documentation that is somewhere between two and four years old. They tend to ask for documentation from assessment of the person as an adult, with testing instruments that are appropriate for use with adults; they tend to ask for more recent documentation for disabilities that may be affected by treatment that is ongoing or underway. Connors State College will normally accept documentation four years old or less.

# SUMMARY OF GENERAL PRINCIPALS FOR DOCUMENTATION

Remember the two distinct purposes of documentation:

1. To establish that the individual has a disability.
2. To describe the functional impact of the disability for use in establishing the need for and the design of accommodations.

In addition, the documentation should reflect the *current functional impact* of the disability, if possible, with and without mediating measures.

The college may need to request new, additional or updated documentation. Further assessment by an appropriate professional may be required if co-existing learning disabilities or other disabling conditions are indicated. Appropriate accommodations are collaboratively determined by the student and the Vice President for Student Services.

## Method of Notification

The ADA Coordinator will provide the student's instructors a memo outlining the recommended accommodation(s) and when appropriate, provide the instructor with a series of options or choices. The student will receive a copy of this memo. *The student should meet with each instructor after class or during the instructor's office hours (identified on the instructor's syllabus), to activate and adapt the accommodations for each class.*

Colleges are not required to provide the requested or preferred accommodation, although they often can provide an accommodation very close to that requested by the student.

If the student requests accommodation and provides the necessary documentation, colleges *are* required to provide reasonable, effective accommodations for disabilities that are adequately verified and documented. Colleges are not required to provide accommodations that waive or reduce essential program requirements, or that create conditions that pose a danger to health, life or self or other individuals. (Section 504 of the Rehabilitation Act; "or simply...danger to others" in Americans with Disabilities Act.)

## Timing of Notification

Information will be available during the week preceding the first day of classes for those whose requests and verifying documentation were provided to ADA Coordinator well ahead of the beginning of the semester (usually four weeks or more).

If students need information regarding the accommodations that will be recommended for them earlier than the first week of classes, they may request that information from the office of the ADA Coordinator after all verifying documentation has been received and the staff has had ample time (allow two weeks in busy periods of the year) to review the documents. (Review time can vary greatly depending on the nature of the documentation and whether evaluators will be asked to provide additional evaluation.)

The ADA Coordinator sends to the student a copy of the accommodation request information that has been sent to the instructors. The student is then instructed to meet with each of his or her professors to 1.) Activate the accommodation, and 2.) Adapt or modify the accommodation. The modification should be equivalent to those suggested and of comparable effectiveness. Whenever possible, this meeting with

each instructor should be in the instructor's published office hours (see each instructor's class syllabus) and in private.

## **REVIEW OF CLASSROOM ACCOMMODATIONS?**

A student or faculty member disagreeing with a recommended classroom accommodation, or a recommendation from the ADA Coordinator that no accommodation is warranted, may request further review by the Developmental Department Chair and then the Vice President for Academic Affairs of the matter..

1. This request for review must be made in writing within five (5) working days of the date that the student received notice of the decision from the ADA Coordinator. The student is encouraged to submit any supporting attachments along with their request for review.
2. The Office of the ADA Coordinator will forward copies of the student's request and supporting documents to the affected faculty, Division Chair(s), unit administrator, Developmental Department Chair and Vice President for Academic Affairs. All those receiving notification of the review must maintain confidentiality regarding the request. The officials will consider the request and provide a written opinion to the Vice President for Academic Affairs within three (3) business days of receipt of the information.
3. The Vice President for Academic Affairs may seek technical and legal advice from the Office of ADA Compliance and/or the Office of Legal Counsel to the Board of Regents regarding the matter.
4. The Vice President for Academic Affairs will notify the student of the result of the request for review within ten (10) working days of receipt of the student's written request.

The Vice President for Academic Affairs will normally make a decision within five (5) working days from the receipt of the request. A copy of the decision will be forwarded to the student and all affected college officials. There is no further appeal of such decision.

The student and faculty/administrative officials may mutually agree to some other form of accommodation at any time in the review process. If such an agreement is reached, the agreement must be in writing, signed by the student, and the review process will automatically be terminated.

## **REVIEW OF CURRICULAR ACCOMMODATION?**

A student may request a change in curricular or degree requirements in order to accommodate their disability by the following procedure.

1. Submitting a written request to the appropriate Division Chair and the Vice President for Student Services.
2. The Division Chair and the Vice President for Student Services will review the request to assess whether the student has the ability to complete curricular or degree requirements as ordinarily required by the department and College and make a formal recommendation.
3. The Vice President for Student Services will then notify both the student and the Vice President for Academic Services (or designee) of their recommendation in writing within ten (10) working days of the receipt of the student's request.
4. The Vice President for Academic Services (or designee) will then consider the recommendation of the Division Chair and the Vice President for Student Services and the academic requirements of the

curricular or degree program at issue. While each case inherently must be judged on its own merits, consideration will be given to the actions taken in similar cases in the past to ensure fairness and comparable treatment.

5. If the Vice President for Academic Services (or designee) concludes that the requested accommodation should be denied, that recommendation must be supported by a rationally justifiable conclusion that available alternatives to the usual academic requirements would result either in lowering academic standards or requiring substantial program alteration and must set forth in detail the factors considered by the faculty/administrative officials in arriving at that conclusion.
6. The Vice President for Academic Services (or designee) will send a copy of the decision to the student, the appropriate Division Chair(s) and Vice President for Academic Affairs within ten (10) working days following the receipt of the request for review.

## **Grievance Procedure**

If the student disagrees with the decision by the ADA Coordinator (or designee), the student may submit a request for further review to the Developmental Department Chair within five (5) working days of receipt of the decision.

1. The Vice President for Academic Affairs may seek academic, legal, or technical advice from faculty, College officials, and/or the Office of Legal Counsel the Board of Regents. The Vice President for Academic Affairs will normally make a final decision within fifteen (15) working days and will communicate such decision to the student and affected College officials and faculty. There is no further appeal of such determination.
2. The student and faculty/administrative officials may mutually agree to some other form of accommodation at any time in the review process. If such an agreement is reached, the agreement must be in writing, signed by the student, and the review process will automatically be terminated.

## TRANSFERRING TO A UNIVERSITY?

Students planning to transfer to a university must contact the office, which provides disability accommodation services on that campus. It should be done well ahead of time of transfer. Universities are required to identify the location of the office that provides disability services. The university catalog should have the location and phone number of that service clearly identified.

NEARBY university contact numbers are:

**Bacone College**, Muskogee: Office of the Registrar  
918.683.4581, email address: [painterb@bacone.edu](mailto:painterb@bacone.edu)

**Northeastern State University**, Tahlequah: Office of Student Affairs, Administration Bldg.  
918.458.2120

**Oklahoma State University**, Stillwater: Disabled Student Services  
405.744.7116

**University of Oklahoma**, Norman: Disability Resource Center  
405.325.3852, email address: [drc@ou.edu](mailto:drc@ou.edu)

**University of Central Oklahoma**, Edmond: Human Resources  
405.341.2930 x 3348

# DOCUMENTATION GUIDELINES FOR DIAGNOSING PROFESSIONALS

(For use by the professionals (doctors, etc.) who prepare verifying documentation)

## Key Points

*The College does not present the following guidelines as a mandatory format for verifying a disability. They are intended as an outline of suggestions or an option that will aid you in writing and gathering the needed information. Following these suggestions will assure that the documentation you provide your patient or client will be useful in the widest number of post-secondary educational, testing and employment settings.*

## KEY PRINCIPLE: CURRENT FUNCTIONAL IMPACT

If you have time to read only this page, please note the following points:

**PURPOSE OF DOCUMENTATION:** Two basic purposes are:

First, to provide verification that the individual has a disability that meets the definition contained in the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973 as amended in 1998, and Second, to provide enough descriptive information about the current functional impact of the disability so that appropriate accommodations can be considered and designed for the individual in a college academic setting.

**CURRENT FUNCTIONAL IMPACT:** Education (and employment) setting accommodations will be based upon the “functional impact” of the disability. Verification of a disability alone may not support accommodation. Functional impact may be adequately described by a complete audiogram (hard of hearing), by the report of a psycho-educational psychological assessment prepared to APA standards, or by an ophthalmologists report (vision impairment). It may include statements such as: “...cannot grip a pen more than five minutes at a time,” or “...must stand and stretch at least once every 20 minutes,” or “...must always have water available to drink,” or “...will be distracted and lose concentration most when in the presence of visual distractions (or audio, or other).”

**TERMINOLOGY:** Diagnostic and functional impact information is best described using the standard terminology of the DSM IV wherever applicable, and should be supplemented with descriptions that can be understood across academic disciplines by educated persons (see “Confidentiality” on the next page).

**ACCOMMODATIONS DESIGN:** If the professional who drafts and assembles the documentation knows of and has independently verified accommodations that may have been effective for the individual in similar academic settings in the past, we are happy to have that information to add to the options we will be considering with the student.

Colleges and universities are not required to make accommodations or program modifications that would change the nature of the course or curriculum or waive any requirements that are considered essential elements of the course or curriculum.

**DEFINITION OF DISABILITY:** The ADA of 1990 and the applicable section of the RA for 1973 define a disability as “...a physical or mental impairment that substantially limits one or more of the individual’s major life activities (e.g. in the manner, method or duration of walking; seeing; hearing; speaking, breathing; learning...etc.)” (It also provides protections to individuals who must care for

persons with disabilities or who have been regarded as having a disability and experienced discrimination as a result.)

Decisions made by the U.S. Supreme Court in the summer of 1999 suggest that information needs to be included in the documentation describing the functional impact with and without mediating measures such as medication, and that the college is to consider the impact of the impairment or disability as the person actually functions when enrolling in the college's programs or using its services.

**CONFIDENTIALITY:** Documents verifying and describing disabilities are kept in the Office of the Vice President for Student Services. These documents and any detailed information about an individual's disabilities are kept in locked files under supervision of professionals. Information sent to faculty and learning lab staff will contain only information about the accommodations to be arranged or adapted to the specific class and academic discipline. Even that is provided to the student's professors only with the student's written request and permission. Occasionally, on a professional need to know basis, limited information about a disability may be shared verbally with a faculty member to facilitate the accommodation service.



## ***DEFINITION OF TERMS***

**Disability:** *Section 504 of the Rehabilitation Act and the Americans with Disabilities Act protects and considers a person disabled if he or she:*

1. has a mental or physical impairment that substantially limits one or more of the major life activities of that person,
2. has a record of such impairment; or
3. who while not actually disabled, is regarded as having such an impairment
4. has a record of being discriminated against because of being regarded as disabled
5. has a person with a disability dependent on him or her (associated with a person who has a disability).

**Otherwise Qualified:** The term qualified individual with a disability means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal or architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity (Sec. 201. Definition. 42 USC 12115.c. (2)).

What does “otherwise qualified” mean at a community college known for “open admissions”?

Students with disabilities are admitted to Connors State College on the same basis as all other students, without regard to accommodations (information about disabilities is not sought or recorded in the Office of Admissions and Records).

Students with disabilities must meet the same prerequisites specified for all students for each class. Appropriate accommodations, use of adaptive technology or other services such as American Sign Language interpretation may be used in classroom and testing situations where minimum reading, writing or mathematical abilities are accessed to establish course prerequisite minimums. However, persons with disabilities must meet the same prerequisite requirements as all other students. Similarly, students with disabilities must meet the same academic program requirements as are established by the College for all students and as are outlined in the College catalog.

Students with disabilities may request appropriate accommodations as they pursue their academic studies. Accommodations are all about ACCESS to the College programs and services, including access to quality academic standards.

**Substantial Impairment:** Rather than specifying particular disabilities, the Americans with Disabilities Act and Section 504 of the Rehabilitation Act set the criteria for an individual’s protections at the threshold of a mental or physical impairment that substantially limits any major life activities. It is terminology that reflects one central aspect of the process of determining whether a person has a civil right to accommodations for disability. It is central language to watch for in reading rulings by the Office of Civil Rights and court decisions related to disability services.

In most cases, there is little dispute regarding whether an individual student has a substantial limitation or impairment. There is a large body of adjudication to aid colleges in deciding individual cases, as decisions made under the 1973 Rehabilitation Act in most cases reflect the same statutory language as included in the Americans with Disabilities Act.

**Documentation:** *Verifying documents which substantiate a person's mental or physical impairment and which describe the impairment adequately for the College to be able to determine the degree of resulting limitation on a major life activity and to aid in the design of reasonable accommodations.*

The student must provide documentation to the college. All disabilities must be verified with documentation; a very few can be documented by the office of Services to Students with Disabilities based upon observation in the office or on campus, in which case that observation will be recorded as documentation in the student's file. However, that may limit the extent of the accommodations made available; the more complete the documentation, the better focused the accommodation design can be.

**Verification:** That aspect of the documentation that is collected in a student's file which verifies the existence of a disability. (See also definition of "documentation" above.) The student must provide verification.

**Accommodation:** *Adjustments made in course materials or instructional methodology, which do not change the essential nature of academic and technical standards of the course:*

- Adjustments made in the physical attributes of a classroom such as provisions of tables and or chairs, which do not disrupt the essential activities of the class or program
- Assistive technology made available to persons with disabilities in College Learning Labs, the Library, Test Center or Classroom
- Services such as ASL interpreters, readers, scribes and test proctors

**Essential Nature of a Course:** This is a language from applicable case law; ref. The David decision: Colleges need to identify the essential elements of each course requirement and curriculum program. Colleges are not required to waive or substitute alternate courses in place of courses, which are essential elements of programs.

**Reasonable:** Reasonable is a term central to disability services and the design of accommodations. Colleges must provide accommodations to assure reasonable access to persons with disabilities for all institutional programs and services.

A request to provide ASL or sign interpretation, provide books on tape, multi-media resource materials or extended time for pencil and paper testing situations would most likely be considered a reasonable accommodation request, if supported by verifying documentation.

*A request for an accommodation, which would waive the essential element of a course, would be determined to be unreasonable.*

*A request for accommodations which would put the requesting student or others in danger of harm would be considered an unreasonable accommodation.*

The staff of Services to Students with Disabilities maintains copies of guidelines and Office of Civil Rights (OCR) or court decisions, which aid in determining the reasonableness of accommodation requests and services.

**Learning Disability:** The term Learning Disability is a general term that refers to a heterogeneous group of disorders manifested by significant difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning, or mathematical abilities. These disorders are intrinsic to the individual, presumed to be due to central nervous system dysfunction, and may occur across the life span. *Problems in self-regulatory behaviors, social perception, and social interaction may exist with learning disabilities but do not by themselves constitute a learning disability.* Although learning disabilities may occur concomitantly with other handicapping conditions (for example, sensory impairment, mental retardation, serious emotional disturbance) or with extrinsic influences (such as cultural differences, insufficient or inappropriate instruction), they are not the result of those conditions or influences. (National Joint Committee on Learning Disabilities, 1988).

A “specific learning disability” may be described as dyslexia, dyscalculia, dysgraphia or other specific diagnostic term. Each of these, in turn, has its special definition as well as subcategories. Professional journals and other scholarly resources are used to follow the development of on-going research across a number of scientific and academic disciplines to monitor new questions and new findings. Research in fields related to learning disabilities is frequently described as “trans-or multidisciplinary”. It is also inter-factional with important studies underway in cultures with widely differing language systems. “Dyslexia” alone is the focus of most international research, and is further divided into questions, which are being explored, such as “developmental dyslexia, surface dyslexia, language impaired, phonological “clumping”, genetic, auditory, and other sub-categories, reflecting fascinating questions bearing on language development.

## APPENDIX A. Example Letter to Student

Date \_\_\_\_\_

(Dear Student Name ☺ )

The attached information (see Appendix B) and request for accommodations have been sent to your instructor (s), and/or Physical Plant for the upcoming semester. Please review the information and double-check it for accuracy and completeness. Your responsibilities as a student include the following:

- Read, study, and follow class syllabus (provided in each course).
- You are advised to meet with each of your instructors during their office hours before or after class to activate the enclosed accommodations and to adapt them for each class situation. Have the instructor's course syllabus with you for review. Be sure you understand the requirements of the class, exam schedule and policy, as well as all requirements for the class.
- Lead off with interest. Thumb through the text or readings for each class and find something that interests you. Maybe it will be a question you want to ask. Start your meeting with each instructor by showing an interest in his or her subject, or ask a perceptive question. THEN discuss the suggested accommodations.
- Attend class, and follow your instructor's instructions.
- Arrange your own detailed daily schedule allowing for ample hours of high-energy time for homework each week. Plan for two or three hours study time for EACH hour you attend class.
- If you feel that the requested accommodations or an effective equivalent has not been made available to you, please inform my office.
- If you have changed your schedule, have any suggestions or corrections, please call (918.463.2931), stop by my office on the Warner campus, and ask for me, or send an e-mail.
- You may also leave your materials with the Academic Advisor or the Registrar's Office at the Downtown Campus. Please ask that they forward them to my office on the Warner campus.
- Please let us know if your class has been assigned a different room number or if a new professor has been assigned to your class section.

I look forward to meeting with you as needed throughout the semester. Good luck with your academic pursuits. Please notify this office if you need accommodations next semester.

Sincerely,

ADA Coordinator  
Connors State College

Copy to: File

**APPENDIX B. Example Memo to Instructor**

Date \_\_\_\_\_

Dear Instructor:

The following student has registered for your course (course name and section) this semester and has requested that I inform you that (he/she) has a documented disability. For this reason, certain (physical and/or academic) accommodations are needed for this student to have an equal opportunity to demonstrate his/her knowledge of the course content. As you may know the college is required by law to provide reasonable accommodations to enable him/her to succeed at Connors State College.

Based on the student's disability the following accommodations would be reasonable:

- Reader for Exams
- Taped Lectures
- Large Print (font) on exams
- Note Taker
- Proof Reader
- Sign Language Interpreter
- Extended Test Taking Time
- Extended Time to Complete Lengthy Writing Assignments/Papers
- Use of / or Access to Computer Adaptive Equipment:
  - Four Function Calculator
  - PC-Spell Check/Grammar
- Other \_\_\_\_\_

The student will meet with you to discuss these accommodations as they relate to the specific demands of your course. Your input in this process is important, as the accommodations should in no way compromise the essential elements or objective of your curriculum.

If you have any questions regarding this letter or the requested accommodations or need assistance with implementing the accommodations, please contact me at (918) 463-2931 ext. 6296. I look forward to working with you to provide reasonable accommodations for (student name).

Sincerely,

ADA Coordinator  
Connors State College

Copy to: File

**APPENDIX C**

***ACCOMMODATION ACTIVITY FOLLOW-UP***

During the past semester accommodations were arranged for you. We are eager to learn how well the accommodations have worked and what suggestions, if any, you can provide. Please take a few minutes to complete the following questionnaire and return it to the office of the Vice President for Student Services.

(Use the rating scale 1 through 5, with 1 the lowest satisfaction, 3 neutral, and 5 is the highest level of satisfaction; leave blank if the question does not apply to you.)

Please Circle One

1. Services to Students with Disabilities were easy to access. 1 2 3 4 5
2. Information explaining how to apply for accommodations was clear and easy to understand. 1 2 3 4 5
3. The Disability Services staff was available when needed them. 1 2 3 4 5
4. The Disability Services staff was friendly and made me feel welcome and secure. 1 2 3 4 5
5. Accommodations were reasonable and appropriate. 1 2 3 4 5  
Type of accommodation (optional)  
\_\_\_\_\_  
\_\_\_\_\_
6. I received a copy of the accommodation request prepared by the Advisor to Students of Disabilities that was sent to my instructor or to the College's Physical Plant office. Yes No
7. Actual accommodations, which I received, were those described on the request, which was prepared by the Vice President for Student Services. Yes No
8. In what ways have accommodations arranged for you made a difference in your college experience?  
\_\_\_\_\_  
\_\_\_\_\_
9. In what ways is college making a difference in your life?  
\_\_\_\_\_  
\_\_\_\_\_
10. I first learned of accommodation services for disabilities from:  
Counselor                      Catalog                      Syllabus                      Other Student  
Professor                      Other:

*YOU MAY ALSO MAKE SUGGESTIONS ON THE BACK.*

**APPENDIX D**

Student Agreement for Taping Lectures

I, \_\_\_\_\_ understand that the  
Student's Name

information contained in the tape recorded lectures are protected under federal copyright laws and may not be published or quoted without expressed consent from

\_\_\_\_\_ and without given proper  
Instructor's Name

identification and credit to \_\_\_\_\_.  
Instructor's Name

I agree to abide by these guidelines with regard to any lectures I tape for

\_\_\_\_\_  
Course Title, Number and Section

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Date