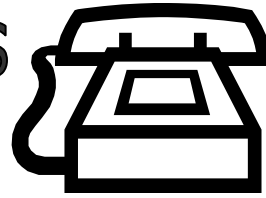


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INTRODUCTION

Since its inception in 1974, LMC's Disabled Students Programs & Services (DSP&S) has grown to serve a large number of students with disabilities. DSP&S serves approximately 10% of the overall LMC student population. The purpose of this handbook is to help you become more comfortable and effective in working with students with disabilities. It presents information on various disabilities, definitions, and emergency procedures, and suggests classroom accommodations that can be made in the teaching environment or in teaching style.

It is the mission of DSP&S to facilitate access for disabled students with learning, physical, or psychological disabilities to the educational programs, student services, and activities of Los Medanos College. The primary goal of Disabled Students Programs & Services is to help students achieve their educational goals while becoming independent learners.

Access Is Facilitated By Providing

- Assessment and advisement to assist students in identifying the support services that they need to succeed.
- Advising to assist in the development of student educational contracts.
- Assistance with registration and other college services.
- Support services, such as tutoring, note taking, and interpreter services.
- Courses designed to assist students with learning disabilities.
- In-service activities to assist faculty and staff in working successfully with students with disabilities.
- Advocacy and support.

The Law

Once a student has sufficiently documented that he or she has a qualifying disability, a college is responsible for providing reasonable accommodations or modifications that do not require fundamental alteration to the program or activity, result in the lowering of academic or technical standards, or cause the college to incur undue administrative or financial burden.

Post-secondary institutions must take steps to ensure that students with disabilities are not excluded from programs because of the absence of educational auxiliary aids. Federal law states that "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." The more recent Americans with Disabilities Act of 1990 extends federal civil rights protection. It prohibits excluding people from jobs, services, activities or benefits based on disability. Two major federal laws govern Los Medanos College's response to students with disabilities: the Americans with Disabilities Act (ADA) of 1990 and the Rehabilitation Act of 1973, Section 504 (reauthorization in 1992) and Section 508. These laws protect the civil rights of students with disabilities. The legal obligations under the ADA and Section 504 and 508 apply to the whole institution and are not the sole responsibility of DSP&S or its program.

Working Together

The appropriate educational accommodations to ensure access will vary from one student to the next because each student with a disability will have a different level and style of functioning - even within the same disability category. The information in this handbook is intended to facilitate interaction between you and your student. We in DSP&S will be happy to work with you and the student to determine appropriate accommodations. We also invite your input and ideas. An interactive process with the student, DSP&S and faculty is encouraged. Please don't hesitate to contact DSP&S if you have questions or concerns related to accommodations or DSP&S support available.

ACCOMMODATIONS AND SERVICES PROVIDED BY DSP&S

The major objective of the Disabled Students Programs & Services office at LMC is to assure educational access for students with disabilities. DSP&S concentrates its efforts on providing services that are not available elsewhere in the college. DSP&S makes the following services available to qualified students at LMC:

Advising

We provide academic counseling/advising, educational planning, career and personal counseling. It is considered discriminatory to counsel students with disabilities toward more restrictive careers than students without disabilities, unless such counsel is based on strict licensing or certification requirements in a profession. We coordinate necessary support services and act as a resource to help students obtain appropriate services beyond those provided at LMC.

Courses

Courses designed specifically for students with disabilities, include:

- 1) LRNSK 50 to help in the development of reading and writing
- 2) LRNSK 70 is an adaptive computer technology class
- 3) LRNSK 81 and 82 are basic math classes to help with math concepts and developing strategies
- 4) LRNSK 40 is a diagnostic class for Learning Skills Eligibility assessment
- 5) P.E. 48 is an adaptive P.E. class which includes individual exercise, weight lifting, and aquatic fitness.

Priority Registration

It is sometimes critical that students with disabilities enroll in a particular section of a class (to coordinate interpreter schedules, for example). In addition, the actual process of registration can be especially difficult and stressful for persons with disabilities. To alleviate these problems, DSP&S offers priority registration to qualified students.

Specialized Tutoring

When sufficient funding permits, DSP&S offers specialized tutoring. Specialized tutoring is provided to students if their disability impairs their cognitive processes. DSP&S faculty makes the determination with student. Academic tutoring with emphasis on reading, writing, study skills and math tutoring to students with disabilities is provided.

Testing Accommodations

The most appropriate method of administering a test depends upon the student's disability and the design of the test. Students with disabilities that affect manual dexterity, vision or perception generally may be allowed extra time to complete tests. It is possible for DSP&S to administer the exam in the DSP&S Testing Center to the instructor's specifications. Please deliver exams to the DSP&S Testing Center at least 24 hours in advance of the scheduled exam.

Make up exams

Students who have verified disabilities and have a current student educational contract with DSP&S may request a makeup exam if their absence is due to their verified disability. Make up exams may be negotiated on a case-by-case basis with the instructor. Additional documentation may be required. Students are responsible for contacting the instructor in the event that there is a necessity for missing classes, including exams, due to their disability.

Liaison to Campus and Community

Students are instructed to advise instructors of their eligibility for DSP&S accommodations and work together to provide necessary accommodations. We also help students to access appropriate resources in the community over and above what is available at LMC.

Learning Disabilities Assessment

Individualized assessment to determine eligibility for learning disabilities services is available at LMC through the DSP&S program either through the Learning Skills Eligibility Assessment class or as a service when the Learning Skills 40 class is not offered. Students may be referred by faculty or self-referred. The process for referring students from your classes is described in the section "How Students are Served Through DSP&S."

Readers and Note takers

Reader services are provided for students with visual impairments, reading disabilities and some physical disabilities. Please be aware that the coordination of reader services requires advance notice. It is helpful for students to know their reading assignments well in advance of the due date. Note takers or scribes are provided when students cannot use their hands to write notes, class assignments, or exams. DSP&S recommends (when appropriate) students use a tape recorder to record class lectures. DSP&S will provide tape recorders with a small deposit for the entire semester (if available).

Books on CD/Alternate Media Materials

Textbooks and instructional materials in alternate formats such as enlarged print and audio recording can be obtained through the Alternate Media Specialist at LMC. We occasionally utilize student or community volunteers.

Interpreters and Captioners for Hearing Impaired

Our interpreters and captioners are professionals who are hired by DSP&S to provide sign language interpretation or captioning in the classroom and special school events required by classes.

Architectural Barrier Removal

There is an ongoing process on the campus for evaluating architectural barriers and recommending changes.

Clinical Settings:

Some academic programs require a clinical component, e.g. nursing, paramedic training, etc. Students are supervised in the clinical setting by College instructors, but the location of the clinical training is likely to be in a separate institution, e.g. a hospital. Students involved in programs that have a clinical component are entitled to reasonable accommodation in the clinical setting as well as the academic setting. Students must discuss the accommodations they are requesting for their clinical placements with their DSP&S counselor. DSP&S will engage in the interactive process with the student to decide whether the student needs accommodations in the clinical placement. DSP&S will inform the clinical placement agency and the clinical instructor of the recommended accommodations, and DSP&S will coordinate implementation of the accommodations with the clinical placement and clinical instructor. For clinical placements, if DSP&S has approved the proposed accommodation, and the clinical placement cannot implement it, LMC shall do one or more of the following: (1) work with the placement to implement the accommodation or negotiate implementation of an equally effective alternative; (2) place the student in another placement that is equally effective for the student; or (3) end the relationship with the placement.

Employability

LMC's Employability Program serves students with physical or learning disabilities that may need special assistance in order to clarify and achieve their occupational goals. The program is a joint effort of the college's Employment Center, Career Center, and the DSP&S office. The Employability Program itself has two components: career guidance and job placement.

Technology

Disabled Student Programs & Services (DSP&S) at LMC is committed to keeping pace with technological advances that can improve educational access to students with disabilities. Listed below are technological accommodations that we currently can offer to students.

DISABILITY SPECIFIC TECHNOLOGICAL ACCOMMODATIONS

Hearing Impairments

Phonic Ear System with transmitter and receiver. This unit is available to be checked out by the students from the Media Center after conference with a DSP&S counselor. The system utilizes a small microphone worn by the instructor, and a receiver with a headphone or a loop that transmits by FM frequency worn by the student. It blocks out background noise and amplifies the sound coming from the microphone. Teledigital Device (TTY) is a keyboard based transmitter and receiver which students with both hearing and speech and language impairments can communicate by telephone with *the DSP&S office. TTY systems have been incorporated into some of the public telephones on campus, as well as, the telephone registration system.

Any videos shown in the classroom or as part of online course content must be shown with captioning.

Learning Disabilities, Attention Deficit, Psychological Disabilities & Acquired Brain Injuries

Adaptive computer software, audio cassette tape recorders for note taking, assistive technology, which electronically scans printed material and converts it to voice, to read and/or tape textbooks and handouts.

Physical

Adaptive computer hardware and software. Audio-cassette tape recorders for taping course lectures and discussions.

Visual

Assistive technology such as screen reading and voice recognition software
Closed Circuit TV - enlarges print
Audio recorders for lectures
Enlarged print for tests and instructional materials

POINTS TO REMEMBER

Ask the Student

While we encourage students to discuss their needs with their instructors, students don't always follow this recommendation. If you have questions about whether a student might require an accommodation, the first person to ask is the student, but not in front of the class or a group of students. Confidentiality is important to remember.

Be Aware Of Your Language

Using terms such as "students with disabilities" rather than "disabled students" puts the emphasis on the person rather than the disability. Avoid outdated potentially derogatory labels.

Relax

Don't be afraid to approach a person with a disability. Don't worry about using words, such as "walk", with a person in a wheelchair. As with anyone else, just treat them, as you would like to be treated, with respect. Normal courtesy and respect is the key.

Speak Directly To The Student

Don't consider a companion to be a conversation go-between. Even if the student has an interpreter present, speak directly to the student, not to the interpreter.

Give Your Full Attention

Be considerate of the extra time it might take for a person with a disability to get things said or done. Don't talk for the person who has difficulty speaking, but give help when needed. Keep your manner encouraging rather than correcting or impatient.

Speak Slowly and Distinctly

When talking to a person who is hearing impaired or has other difficulty understanding, speak slowly without exaggerating your lip movement. Stand in front of the person and use gestures to aid communication. Many students who are deaf or hard of hearing rely on being able to read your lips. When full understanding is doubtful, write notes.

Appreciate Abilities

Students with disabilities, like all of us, do some things well and others not as well. By focusing on what they can do, instead of what they can't, you will help to build their confidence.

Use Common Sense

Although some students with disabilities may require significant adaptation and modification in the classroom, more often common sense approaches can be applied to ensure that students have access to course content.

Testing

A test should measure what it purports to measure, not the effects of the disability. The most appropriate method of administering a test depends upon the student's disability and the design of the test. Students with disabilities that affect manual dexterity, vision or perception generally may be allowed extra time to complete tests. It is possible for DSP&S to administer the exam in the DSP&S offices according to the instructor's specifications. Please send your exam to DSP&S as early as possible.

HOW STUDENTS ARE SERVED THROUGH DSP&S

If a student requests any sort of accommodation, you must inform the student that their disability and need for accommodation must be verified through DSP&S. You should refer to the student to DSP&S so that the disability and need for accommodation can be verified. After the disability and need for accommodation has been verified, you should find out from the counselor or specialist what the appropriate accommodations are. You should never try to accommodate a student, or deny accommodation to a student, without working through the DSP&S office. If a student has a complaint regarding denial of accommodation, or failure to fully implement an accommodation, the student should be referred to the DSP&S coordinator or counseling for guidance. It is likely that there are students in your classroom whom you suspect may need special accommodations but who have not told you about their needs. Should you approach the student to discuss their need for services, please be sensitive to the fact that he/she may be reluctant to discuss their problems or they may have difficulty explaining them to you. If you feel reluctant or unsure about how to bring the subject up with the student, we would be happy to discuss this with you. It may be good practice to announce to your classes early on in each semester "that students with disabilities may wish to contact the DSP&S Program." We would be happy to provide you with brochures to hand out to interested students.

SPECIAL CONSIDERATIONS FOR STUDENTS WITH SPECIFIC DISABILITIES

Acquired Brain Injury

A deficit in brain functioning which is non-degenerative and is medically verifiable, resulting in a total or partial loss of one or more of the following: cognitive, communication, motor, psycho-social and sensory perceptual abilities constitute an Acquired Brain Injury. (Administrative Code, Title V) it is estimated that 50,000 people per year suffer a head injury severe enough to keep them from returning to their pre-injury level of functioning. College age students are in a high-risk age group for this type of injury; two-thirds of all head injury cases occur among persons aged 15-24. Some students with acquired brain injury (ABI) have mobility problems that will require accommodations. Many do not, so their disability may not be readily apparent and some may be reluctant to reveal it to you. Many of these individuals have been through extensive rehabilitation; they are proud of the progress they have made and want to be self-sufficient. At the same time, they often are painfully aware of the fact that they do not learn as easily as they did before their injury; this can cause great frustration. Among the cognitive deficits persons with head injuries may experience are difficulties with concentration, memory, problem solving, and abstract reasoning. In our experience at LMC, the problem students mention most is memory. You may find that such students do well on test items that require them to recognize answers (multiple choice, matching) but do poorly on items requiring total recall (fill in the blank, etc.)

Hearing Impairments

A hearing impairment means that a person has experienced a total or partial loss of hearing function which impedes the communication process essential to language, educational, social and/or cultural interactions.

There are three terms that we have all heard and sometimes confuse. The generic term Hearing Impairment is a word used to describe all types of hearing defects, ranging from a minute loss to profound deafness. Hearing impairment is the most prevalent chronic physical disability in the United States with over 13 million individuals being affected. More specifically, Hard of Hearing is a condition where hearing is defective to varying degrees (usually a hearing aid can enhance the understanding of speech). Deaf/Deafness is a condition in which perceivable sounds have no meaning for ordinary life purposes (hearing aids enhance awareness of vibrations such as horns and sirens, but not speech.) Title V lists Hearing Impairments under the heading of Communication Disability.

SPECIAL CONSIDERATIONS FOR STUDENTS WITH HEARING IMPAIRMENTS

Communication

Lighting is very important when communicating with a deaf or hard of hearing person. Do not stand in front of a window or bright light when talking. Try to talk where there is adequate, well distributed light. Be sure to face them when talking. Speak slowly and do not over exaggerate your lip movements. Keep your hands away from your face. Facial activities such as cigarette smoking, vigorous gum chewing, or biting your lips prevent clear communication. Using facial expressions, gestures, and other "body language" is helpful in conveying your message. Be aware that individuals who can hear make the best lip readers, (also called "speech readers"). Of individuals who had extensive training in lip reading, hard-of-hearing students can understand up to 50 percent of speech, and deaf students can understand only up to 25 percent. It takes a great deal of concentration to lip read.

If you see a student with a hearing aid, this does not mean that the student can understand verbal language. The student may require an alternative form of communication, (i.e., an interpreter, note taker, or use of other hearing aid devices.) When using an interpreter to communicate with a student, address the student directly saying "How are you today?" versus "How is she today?" Many students who are hard of hearing do not hear tone of voice, therefore, some expressions, such as sarcastic statements, might be misleading if taken literally. Try to avoid giving misleading information this way. Also, try to avoid using idioms or colloquial expressions.

Since conversation is a two-way street, receiving messages is as important as sending them. Do not hesitate to ask the individual to slow down or repeat when you do not fully understand. Understand that occasionally the student might have to ask you to restate what you say to make sure he or she completely understands you. Rephrase what you have said, rather than repeating the same words again. Use open-ended questions, which need more than a "yes" or "no" answer. Do not assume that the person who is deaf understands if they nod their head. Open-ended questions assure that your

information has been communicated. Faculty members should not hesitate to write notes when necessary to communicate with a student. Remember to keep the notes simple and direct.

Seating

A student who is deaf or hard of hearing depends on visual cues to supplement what he or she does not hear. Seating is an important consideration. The student will need to be near the front so that his or her view is not obstructed. If a student has a unilateral hearing loss, he or she should be seated so that maximum use of the good ear is permitted.

Participation

Because of a time lag between the spoken word and the interpretation, the student's contribution to the lecture or discussion may be slightly delayed. Students may have some speech and/or language impairment. Although, this does not affect a student's ability to learn new information, some difficulty in the acquisition of new vocabulary may lead to reluctance to participate in class. Assumptions should not automatically be made about the student's ability to participate in certain types of classes. For example, students may be able to learn a great deal about music styles, techniques, and rhythms by observing a visual display of the music on an oscilloscope or similar apparatus or by feeling the vibrations of music.

Testing

Most students will be able to take tests and evaluations in the same way as other students. Some may need additional time in order to gain a full understanding of the test questions. It has been found that if the test is written, some students do better if an interpreter reads and translates the questions to the student in sign language. However, many other students prefer to read tests themselves. If the method of evaluation is oral, the interpreter can serve as the reverse interpreter for the student.

Please notify the DSP&S office well in advance when you have exams and the exam format. If the student does not need the interpreter or captioner for the exam, DSP&S needs advance notice to cancel the service without incurring cost for that day.

Avoid Orally Administered Exams Requiring Written Answers

The primary form of communication within the deaf community is sign language. In view of this, many persons who are deaf or have profound hearing loss since birth or an early age have not mastered the grammatical subtleties of their "second language" English. This does not mean that instructors should overlook errors in written (or spoken) work. However, they should know this difficulty with English is not related to intelligence but is similar to that experienced by students whose native language is other than English.

Interpreters & Captioners

Some of the students will attend classes with an oral or sign language interpreter or a real-time captioner or distance captioning equipment. The interpreters will usually

situate themselves in front of the class to interpret lectures and discussions. Interpretation will be easiest in lecture classes and more difficult in seminar or discussion classes. Because class formats are so varied, it is recommended that the professor, interpreter and student arrange a conference early in the course to discuss any special arrangements that may be needed. Please be aware of the difficulties the student may have trying to watch a film and the interpreter at the same time. Turn on the captioning for videos shown in class. An interpreter's proficiency level decreases after 20 minutes. You can help make sure that the student is receiving clear and concise transmission by allowing breaks for any class over 50 minutes.

If you need to communicate directly with the interpreter, he or she will interpret your conversation into sign language for the student.

When distance captioning or Phonic Ear systems are used, please repeat into the microphone any questions from the class so that the student may clearly receive this information.

Sign-language interpreters and captioners are scheduled by the Disabled Student Programs & Services, upon request from the student. Not all students with hearing impairments request or use interpreters or captioners.

Note Takers

Please make an announcement in your class that DSP&S is seeking volunteers to take notes in classes. Students who volunteer as a note taker for DSP&S can receive an earlier registration appointment for a future semester. Note taker services are available for hearing impaired students. It often helps to have another student or students, who are good note takers, carbon or copy notes so that the students with hearing impairments can give his or her full attention to watching the speaker or interpreter. Special note taking paper is available in the DSP&S office.

The Phonic Ear System is an amplifying system available in Media Services used by students as recommended by the DSP&S Coordinator. The Phonic Ear System amplifies sound to the student through a small microphone and transmitter the speaker (instructor) wears and a receiver worn by the student. It amplifies sound only for the student using this piece of equipment, not for others in the classroom.

There are TTY's available on campus. There is a TTY available in Central Services for faculty and staff to use.

SPECIAL CONSIDERATIONS FOR STUDENTS WITH LEARNING DISABILITIES

Learning disabilities affect the manner in which individuals with average or above average intelligence receive, process, retain and/or express information. A learning disability is NOT to be confused with generalized low ability. Learning disabilities are invisible, but may affect a student's performance in reading, writing, spoken language, mathematics, orientation in space and time and/or organization. The areas of difficulty will vary from one student to another.

According to the Title V regulations, which govern the California community colleges, the definition of a learning disability is as follows:

Learning disability in California Community College adults is a persistent condition of presumed neurological dysfunction, which may also exist with other disabling conditions. This dysfunction continues despite instruction in standard classroom situations.

Learning-disabled adults, a heterogeneous group, have these common attributes:

- a) average to above average intellectual ability;
- b) severe processing deficit;
- c) severe aptitude-achievement discrepancy(ies); and
- d) Average to above average measured achievement in an instructional setting.

Characteristics

Students with learning disabilities may exhibit one or more of the following characteristics:

Reading

- a) Confusion of similar words, difficulty using phonics, problems reading multi-syllable words
- b) Difficulty finding important points or main ideas
- c) Slow reading rate and/or difficulty adjusting speed to the nature of the reading task
- d) Difficulty with comprehension and retention of material that is read, but not with materials presented orally

Writing

- a) Difficulty with sentence structure, poor grammar, omitted words
- b) Frequent spelling errors, inconsistent spelling, letter reversals
- c) Difficulty copying from the board
- d) Poorly formed handwriting--may print instead of using script; write with an inconsistent slant; have difficulty with certain letters, space words unevenly
- e) Compositions lacking organization and development of ideas

Listening

- a) Difficulty paying attention when spoken to, inconsistent concentration
- b) Has trouble listening to a lecture and taking notes at the same time
- c) Is easily distracted by background noise or visual stimulation
- d) Inconsistent concentration
- e) May appear to be hurried on one-to-one meetings

Oral Language

- a) Difficulty expressing ideas orally which the student seems to understand
- b) Problems describing events or stories in proper sequence
- c) Problems with grammar

- d) Using a similar sounding word in place of the appropriate one

Math

- a) Difficulty memorizing basic facts
- b) Confusion or reversal of numbers, number sequences or symbols
- c) Difficulty copying problems, aligning columns
- d) Difficulty reading or comprehending word problems

Study Skills

- a) Problems with reasoning and abstract concepts
- b) Poor organization and time management
- c) Exhibits an inability to stick to simple schedules, repeatedly forgets things, loses or leaves possessions, and generally seems "personally disorganized"
- d) Difficulty following directions
- e) Poor organization of notes and other written materials

Social Skills

- a) Difficulty "reading" facial expressions, body language
- b) Problems interpreting subtle messages, such as sarcasm or humor
- c) Seems disorganized in space - confuses up and down, right and left: gets lost in a building, is disoriented when familiar environment is rearranged
- d) Seems disoriented in time, i.e. is often late to class, unusually early for appointments or unable to finish assignments in the standard time period
- e) Displays excessive anxiety, anger, or depression because of the inability to cope with school or social situations

SUGGESTIONS FOR HELPING STUDENTS WITH LEARNING DISABILITIES TO SUCCEED IN THE CLASSROOM COURSE WORK ORGANIZATION

Detailed Syllabus

Provide a detailed syllabus that includes course objectives, weekly topics, classroom activities, required reading and writing assignments, and dates of tests, quizzes, and vacations. Leave a blank space for notes after the outline for each week's work.

Rules Clarification

Clarify rules in advance: how students will be graded, whether makeup tests or rewrites of papers are allowed, what the conditions are for withdrawal from a course or taking an incomplete. These should be included in the syllabus.

Reviews and Previews

It is extremely helpful if the instructor briefly reviews the major points of the previous lecture or class and highlights main points to be covered that day. Try to present reviews and previews both visually and orally.

Study Aids

Use study aids such as study questions for exams or pretests with immediate feedback before the final exam.

Multi-Sensory Teaching

Learning-disabled students learn more readily if material is presented in as many modalities as possible (seeing, speaking, touching).

Visualization

Help the student visualize the material. Visual aids include overhead projectors, PowerPoint presentations, films, chalkboards, flip charts, computer graphics, and illustration of written text.

Color

Use color. For instance, in teaching respiration technology, everything related to the body's respiratory system might be highlighted in green and the digestive system in orange. In complex mathematical sequences, use color to follow transformations and to highlight relationships.

Tactility

Provide opportunities for touching and handling materials that relate to ideas. Cutting and pasting parts of compositions to achieve logical plotting of thoughts is one possibility.

Announcements

Whenever possible, announcements should be in oral and written form. This is especially true of changes in assignments or exams.

Distinct Speech

An instructor, who speaks at an even speed, emphasizing important points with pauses, gestures, and other body language, helps students follow classroom presentations. Try not to lecture while facing the chalkboard.

Eye Contact

This is important in maintaining attention and encouraging participation.

Demonstration and Role Play

These activities can make ideas come alive and are particularly helpful to the student who has to move around in order to learn.

Other Tips

- Emphasize new or technical vocabulary.
- Ask the DSP&S alternate media specialist to arrange to have specific passages enlarged or provided in audio format.
- Allow time for students to work in small groups to practice, to solve problems, and to review work.
- Break down teaching into small units. Short daily reading assignments will help the student with learning disabilities learn how to budget and organize study time. Build up to longer units.
- Teach students memory tricks and acronyms as study aids. Use examples from current course work, and encourage students to create their own tricks.
- Encourage students with learning disabilities to sit in front of the classroom.
- Give feedback. Errors need to be corrected as quickly as possible.
- Assist the student in teaming up with a classmate to obtain copies of notes.
- Remember to read aloud material on the board or on transparencies.
- Remind students often of your availability during office hours for individualized clarification of lectures, reading, and assignments.
- Periodically offer tips and encourage class discussion of ways for improving studying - organizational ideas, outlining techniques, summarizing strategies, etc.
- In exam questions, avoid unnecessarily intricate sentence structure, double negative and questions embedded within questions.
- Permit the use of a dictionary for essay exams.
- Permit the use of a calculator when mathematical disability is severe.
- Give less weight to spelling when that disability is severe.
- Provide additional scratch paper to help students with overly large or poor handwriting.
- Encourage students to use a word processor with spelling check.
- Encourage students to dictate best ideas into a tape recorder before writing a report.
- Use dark colored pens on boards, to help students with visual impairments.

Accommodations

Upon completion of testing and eligibility for services, students may be entitled to receive one or more of the following accommodations as prescribed in his/her Student Educational Contract.

Specialized tutoring (available when funding permits) by DSP&S tutors emphasizing use of special learning strategies for the student's study needs.

Specialized classes including prescriptive reading, spelling, writing, math. and study skills.

Learning Disabilities Assessments are conducted for students in either the Learning Skills Eligibility Assessment classes or as a service through the DSP&S office.

Individualized instruction that helps students with learning disabilities to use computers to compensate for their disabilities. Word processing, spell checking, grammar checking, and other tools are offered for students with writing, reading, and math problems.

Cognitive software programs are being explored and will also be available soon to help improve memory.

Note taking Services or audio recording of lectures. Please make an announcement in your class that DSP&S is seeking volunteers to take notes in classes. Students who volunteer as a note taker for DSP&S can receive an earlier registration appointment for a future semester.

Specialized software such as voice recognition software, screen reading software and word prediction features.

Videos shown in the classroom or through online environment including captioning or a transcript available.

Special testing accommodations:

1. Extended time on tests.
2. Tests and exams taken in the DSP&S Office.
3. If requested, tests read to the student by a proctor or using assistive technology.

SPECIAL CONSIDERATIONS FOR STUDENTS WITH MOBILITY RELATED DISABILITIES

Mobility related disabilities are caused by orthopedic or other health related impairments, such as muscular dystrophy or cerebral palsy. They can include students using wheelchairs, crutches, braces, walkers, or canes to move about. However, not all students with mobility impairments require mobility aides.

- a. Mobility and orthopedic impairment means a serious limitation in locomotion or motion functions, which indicate a need for special services or special classes.
- b. Other health impairment means a serious dysfunction of a body part or system, which necessitates the use of one or more of the supportive services or programs. (Title V)

Suggestions for helping students with mobility impairment and other physical disabilities to be more successful in your classroom:

Accessibility

If it seems that a student may have to miss a special meeting, conference with you, or other such event because of an inaccessible location, please move your conference or meeting to an accessible location.

Lateness and Absences

Students with mobility impairments may also require more time to get to and from classes because the accessible travel routes are often round about; they are often dependent on slow, busy elevators and they cannot make up for time lost when an earlier class is held overtime. In bad weather, these students may be unable to get to

class. Please give reasonable consideration for absence or lateness under these circumstances.

Other reasons for these students being late are waiting for assistance in opening doors, and maneuvering along crowded paths and corridors. If a student who uses a wheelchair is frequently late, it is, of course, appropriate to discuss the situation with him/her and seek solutions. Most students will schedule their classes with ample time between them; however this is not always possible. Early classes and attendants' schedules can pose particular difficulties. Students usually rely on assistants for getting to and from class. Last minute course section changes can be a problem.

Some students are susceptible to physical problems, which can require them to be absent during a prolonged course of medical treatment. If this occurs, understanding is appreciated. The student is responsible for notifying his or her instructor of the situation.

Some individuals with mobility impairments have disabilities that involve unavoidable personal hygiene problems that may cause them to be absent from class without advance notice. Such problems occur infrequently but should be given due consideration by faculty members.

Field Trips

If a class involves fieldwork or field trips, ask the student to participate in the selections of sites and modes of transportation. Students are not "confined" to wheelchairs. They often transfer to automobiles and to furniture. Some who use wheelchairs can walk with the aid of canes, braces, crutches, or walkers. Special arrangements will have to be made for field trips when students have difficulty transferring from wheelchair to car.

Classroom Considerations

Classes taught in laboratory settings will usually require some modification of the workstation. Considerations include under-the-counter knee clearance, working counter-top height, horizontal working reach, and aisle widths.

Working directly with the student may be the best way to provide modifications to the workstation. Those students, who may not be able to participate in a laboratory class without the assistance of an aide, should be allowed to benefit from the actual lab work to the fullest extent. The student can give all instructions to an aide-from what chemical to add to what type of test tube to use to where to dispose of used chemicals. The student will learn everything except the physical manipulation of the chemicals.

Classes in physical education and recreation can almost always be modified so that the student in a wheelchair can participate. Classmates are usually more than willing to assist, if necessary. Most students who use wheelchairs do not get enough physical exercise in daily activity, so it is particularly important that they be encouraged, as well as provided with the opportunity, to participate.

Other Tips

Because a student sitting in a wheelchair is about as tall as most children, and because a pat on the head is often used to express affection toward children, many people are inclined to reach out and pat the person in a wheelchair on the head. These students usually find this to be demeaning. A wheelchair is part of the person's body space. Try not to automatically lean on the chair; it is similar to hanging or leaning on the person. When talking to a student in a wheelchair for more than a few minutes sit down or kneel, if convenient. Most students who use wheelchairs will ask for assistance if they need it. Do not assume automatically that assistance is required. Offer assistance if you wish, but do not insist, and be willing to accept a "No, thank you." graciously.

Accommodations

- Adaptations for regular classes
- Audio recording of lectures
- Note taking services
- Students with limited use of their hands may have difficulty writing or may not be able to write at all. These students are advised to utilize auxiliary aids such as audio recorders, note takers, and adaptive computers.
- Special testing accommodations:
 - a. Extended time on tests
 - b. Tests scribed and/or proctored by instructional assistants
- Adaptive Physical Education Classes
- Aquatic Fitness
- Adaptive Swimming
- Individualized Exercise
- Weight Lifting
- Accessible furniture

SPECIAL CONSIDERATIONS FOR STUDENTS WITH VISUAL IMPAIRMENT

According to Title V, visual impairment means total or partial loss of sight. Only small minorities of people are actually totally blind; most are considered "legally blind". Even with correction, a legally blind person's best eye sees less at 20 feet than a normal eye sees at 200 feet. Difficulties experienced by many individuals with visual impairments may include; recurring eye strain while reading, inability to read standardized print, inability to read poor quality print or certain colors of print, and sensitivity to bright light.

Students, who have been blind since birth, or shortly after, have no visual memories. Their concept of objects, space, and distance may be different from those who became blind later in life. Mobility skills of individuals may vary depending on the age of onset of blindness and the quality and extent of mobility training and mobility talent. Some students who are blind will use Braille with competence, but many do not use it. Most students with visual impairments can acquire information through listening. Some students who are blind are competent typists, but their written communication and spelling skills sometimes reflect their natural dependency on audio transmission of information.

Suggestions for Helping Students with Visual Impairments to Succeed In the Classroom

Treat the students with visual impairments very much like you would any other student. Use words like "see" without being self-conscious. If you are in a room alone with a blind person try to remember to explain what you are doing, such as shuffling papers. Tell him/her when someone comes in the room or when you leave the room. It is never impolite to ask if they need or would like assistance.

If you use visual aids in the class, try to be as descriptive as possible. "Words like "this" or "that" can be confusing. Consider making copies of overhead materials or diagrams so that the student can later ask an assistant to describe the information in detail to understand the material better.

A student may use a Service Dog. These dogs have been trained to guide people who are blind, to keep out of the way, and to be quiet. These working dogs should not be treated as pets and should not be petted while working.

When relocation of a class is necessary, a note on the blackboard or door is not adequate; it would be helpful to have a sighted student wait for the visually impaired student to arrive.

"Talents" are often merely the development of latent mental resources or the result of great persistence. It can be frustrating after such hard work for others to refer to their sensory abilities as a "sixth sense" as it does not acknowledge the tremendous efforts expended.

Accommodations

Adaptations for Regular Classes

- Audio recording of lectures.
- Alternate Media materials/recorded books (may take as long as eight weeks to obtain). Students will need to arrange with the DSP&S counselor for audio texts before the semester begins.

Assignments

- Because of the time necessary to produce alternate media materials, students often require extra time to complete required materials, especially when library research is involved.
- Please keep in mind that last minute assignments can present a problem due to preparation and alternate media production.

Examinations

- Extra time on tests.
- Enlargement of tests.

- Tests read and scribed by instructional assistant.

Assistive Technology Available On Campus

- Software including scan and read programs, voice recognition programs, and screen enlargement programs
- Closed Circuit Television available
- Learning Skills Classes
- Audio Recorders that can be checked out by students.
- Alternate media materials

Devices for Students with Visual Disabilities

1. Braille Embosser
2. Tactile Graphics "Toaster"
3. CCTV

Miscellaneous

- Adjustable Chairs and Tables
- AlphaSmart
- Headphones
- Microphones
- High Speed Scanner
- Franklin Speller

SPECIAL CONSIDERATIONS FOR STUDENTS WITH SEIZURE DISORDERS

Most seizure disorders stem from a brain disorder commonly known as epilepsy, in which there are abnormal electrical discharges, which cause temporary loss of control over certain body functions. Seizure disorders affect more than two million Americans, and can affect anyone. Ignorance and myths about seizure disorders often cause more problems for a person with epilepsy than the condition itself. Because it is so misunderstood, employers often feel more reluctant hiring a person with epilepsy than any other disability. Today, 80% of people with epilepsy have their symptoms totally or partially controlled through continuing treatment. This enables the vast majority to lead active, self-supporting and long lives. While causes for epilepsy are not totally understood, it is known that it can be related to head trauma, birth defects, poisons, diseases such as measles and encephalitis, circulatory disorders, tumors, and poor nutrition.

There are three main types of seizures grand mal, petit mal, and partial. Grand mal is characterized by loss of consciousness, stiffening, or shaking of the entire body, violent jerking of the limbs and irregular breathing. Petit mal seizures can take the form of having a "blank spell", losing awareness, twitching, and or staring and blinking. This is sometimes mistaken for daydreaming or inattentiveness. Partial seizures may involve mental confusion accompanied by armless movements (e.g., pacing, hand-rubbing and irritability). This is occasionally mistaken for alcohol drug abuse.

FIRST AID FOR EPILEPTIC SEIZURES

Following are some simple procedures to follow if a student or staff member should have a seizure.

1. Because of legal responsibilities, Contra Costa Community College District Policy requires that a member of the security force be summoned in case of grand mal seizures. Please call extension 3333.
2. Remain calm. Students will assume the same emotional reaction as the instructor. The seizure is painless to the individual.
3. Do not try to restrain the person. There is nothing you can do to stop a seizure once it has begun; it must run its course.
4. Clear the area around the individual so that he/she does not injure himself/herself on hard or sharp objects. Try not to interfere with his/her movements in any way.
5. Do not force anything between the teeth. If the person's mouth is open you may place a soft object such as a handkerchief between his/her side teeth to maintain an airway. Do not use a pencil, pen or spoon, etc.
6. It is not generally necessary to call a doctor unless the attack is followed almost immediately by another major seizure, or if the seizure lasts more than about ten minutes.
7. When the seizure is over, let the person rest if she/he needs to.
8. Turn the incident into a learning experience for the class. Explain that the seizure is not contagious and that there is no need for fear.

Adapted from: Epilepsy Foundation of America and CSU Chico Handbook.

SPECIAL CONSIDERATIONS FOR STUDENTS WITH OTHER DISABILITIES

Students with other disabilities often need special considerations. If you have questions or considerations for any student, please call the DSP&S office at ext. 3133 for more information.

STUDENTS WITH SPEECH IMPAIRMENTS

Impairments range from problems with articulation or voice strength to being totally non-vocal. They include stuttering (repetition, blocks, and/or prolongations occasionally accompanied by distorted movements and facial expressions), chronic hoarseness (dysphonia), difficulty in evoking an appropriate word or term (nominal aphasia), and esophageal speech (resulting from a laryngectomy). Many students with speech impairments will be hesitant about participating in activities that require speaking.

STUDENTS WITH MULTIPLE SCLEROSIS AND MUSCULAR DYSTROPHY

Although these symptoms are sometimes invisible, they may affect the student in a multitude of ways. These symptoms have a tendency to come and go, but they continue to progress. Understanding the fluctuations that may occur in the student's behavior makes it easier to understand variations in classroom performance.

STUDENTS WITH PSYCHOLOGICAL DISABILITIES

These are students who have psychiatric disorders, emotional problems that may or may not affect their academic performance, or a chemical dependency on drugs or alcohol. As a faculty, you are in a position to recognize behavior changes that may require a referral to the DSP&S counselor. Ask to speak to the student privately and confidentially. Indicate concern for the student's welfare and ask them to see a DSP&S counselor. If the student seems to be going out of control, call the campus police to handle the situation.

STUDENTS WITH DIABETES

Students with diabetes occasionally may need to snack during class. Students generally schedule time to eat before strenuous physical activity. Problems such as diabetic coma and insulin shock may occur when there is an imbalance of insulin, food, and energy expenditure. If these problems arise, please call the campus emergency number, ext. 3333.

STUDENTS WITH CARDIAC DISORDERS

Special considerations are generally not needed for students with cardiac disorders except when the course requirements involve an unusual amount of physical activity or if medical complications arise that cause them to miss class.

LEGAL OBLIGATIONS

A Guide to Legislation

The following discussion highlights Section 504 as it pertains to the academic and program aspect of community colleges. The discussion is not inclusive of all aspects of Section 504 or even of all those relating to post-secondary institutions.

SECTION 504 OF THE REHABILITATION ACT OF 1973

For the purpose of explaining who is covered by this law, 504 offers the following definitions:

Handicapped Person

Any person who has a physical or mental impairment which substantially limits one or more major life activity (functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working); has a record of such an impairment, or is regarded as having an impairment, or has a physical or mental impairment that substantially limits major life activities only as a result of the attitude of others toward such impairment.

Qualified Handicapped Person

A qualified handicapped person is a person who meets the academic and technical standards requisite to admission or participation in the educational program or activity.

Program Accessibility

Section 504 prohibits discrimination against handicapped individuals in recruitment, admission, and treatment after admission. It mandates all recipients of federal funding to make adjustments and accommodations in their programs and activities in order to provide qualified handicapped persons with opportunities equal to those enjoyed by qualified non-handicapped persons.

Section 504 requires that each program or activity operated by the institution be readily accessible to handicapped persons when viewed in its entirety. An institution is not required to make each of its existing facilities or every part of a facility accessible. Extensive facility renovations are not always necessary to meet this requirement as long as other methods can be used to effectively achieve program accessibility. Priority must be given, when using other methods, to those alternatives which would offer programs and activities "in the most integrated setting possible." Any programs that are currently inaccessible because of need for major structural modifications should have been changed no later than June 1981. Your continued input is vital if the goal of full participation for students with disabilities is to be met.

SECTION 508 STANDARDS for Electronic & Information Technology

Los Medanos College must provide access to District programs and services to individuals with disabilities to the fullest reasonable extent possible, as guaranteed by Section 508 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

Access has two distinct areas: access to technology and access to programs and courses.

Access to technology includes:

- procurement of Electronic and Information Technology
- accessible Computer Stations, and
- access to Campus Web-Sites.

Access to programs and courses includes:

- providing access to Web Enhanced Instruction,
- providing access to all Informational or Instructional Video Media, and
- providing access with Alternate Media Formats.

I. Access to Electronic and Information Technology

Access to technology and electronic information is comprised of three facets: (a) the purchase of products and services, (b) assistive software, and (c) accessibility of web pages.

a. Every product that we purchase has to meet 508 standards and/or has the capability to use assistive software and hardware. Product examples include: software applications, telecommunications, videos, multimedia, self-contained closed products (e.g. ATM's, copiers, information kiosks, fax machines), and desktop and portable computers.

b. Student computer labs with more than ten stations shall have a minimum of 10% immediately accessible stations for students with disabilities. Computer labs with less than 10 stations will have at least one accessible station.

c. The College's home web page and every individual web page hosted by the college's web site shall follow the Section 508 web standards.

II. Access to Programs and Courses

a. Web-Enhanced Instruction

Access to web-enhanced programs and courses includes: distance learning courses and informational presentations such as Powerpoint, streaming video and multimedia resources.

b. Video Captioning

All instructional and informational video media must be closed captioned. For example, closed captioning of all television broadcasts and video taped distance education course materials shall be provided to persons with hearing disabilities. In order to comply with this law, all videotapes purchased through Los Medanos College must be in a captioned format.

c. Alternate Media

Alternate Media provides the production of alternate print materials for students with verifiable print disabilities. Alternate formats include but are not limited to: Braille, electronic text, audio recording, large print, tactile graphics and captioning.

Adapted from Gavilan College's Section 508 Standards

Reasonable Adjustments to Academic Requirements

Section 504 prohibits exclusion of qualified handicapped students from any course or area of concentration on the basis of handicap. Moreover, it is considered discriminatory to counsel handicapped students toward more restrictive careers than non-handicapped students, unless such counsel is based on strict licensing or certification requirements in a profession. Post-secondary institutions are, therefore, required by 504 to make reasonable adjustments to permit handicapped students to fulfill academic requirements. Reasonable adjustments may include the following: increased time allowances to complete degree requirements, substitution of equivalent courses for those that cannot be made accessible for handicapped students, changes in teaching methods, and changes in the manner of conducting classes.

Course examinations and other methods of evaluating a student's academic achievement must be conducted in a way that will reflect the student's achievement

rather than his impaired sensory, manual, or speaking skills (except when such skills are the factors which are being measured).

Post secondary institutions must take steps to ensure that handicapped students with impaired sensory, manual, or speaking skills are not, in effect, excluded from programs because of the absence of education auxiliary, aids. "Auxiliary aids" may include taped texts, interpreters or other effective methods of making orally delivered materials available to students with hearing impairments, readers in libraries for students with visual impairment, and other similar services and actions. Institutions, however, need not provide attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature.

It is unlawful to prohibit handicapped students from using any auxiliary aid, including tape recorders, in the classrooms when the aid is needed to ensure full participation of the student.

It is the policy of Los Medanos College to provide equal educational opportunities for students with disabilities in accordance with state and federal laws and regulations including the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, and Title 5 of the California Code of Regulations. Pursuant to Title 5, Sections 56000-56076, the college has developed Disabled Student Programs and Services (DSP&S) to assist students with disabilities in securing access to the full range of instructional programs and services offered at the college. It is the intention of the college to insure that individuals with disabilities are served by regular classes and programs whenever possible. To that end, students with disabilities shall be admitted to, and matriculate through, such courses and programs on an equal basis with all other students.

LMC policy is to provide students with academic adjustments, educational auxiliary aids, and accommodations to ensure that students are not discriminated against on the basis of disability. However, LMC is not required to modify academic requirements that are essential to an academic program or to a directly related licensing requirement that would result in lowering of academic or technical standards, or to make modifications that would fundamentally alter the nature of the program. In addition, LMC is not required to make accommodations that would cause the College to incur undue administrative or financial burden. LMC will give primary consideration to the academic adjustment, auxiliary aid or other accommodation requested by the student, but may consider equally effective alternatives in consultation with the student.

Procedures for Determining Whether Proposed Accommodation Is an "Undue Burden"

In determining whether a proposed accommodation is an undue burden, LMC shall apply the following legal standards:

- a. LMC recognizes that the burden is on the College to establish that undue financial or administrative burden exists;

- b. A decision that a proposed accommodation would constitute an undue burden can only be made by the "head of the public entity" or designee. For most programs, the appropriate designee will be the acting Dean.
- c. The Dean shall first consider all resources available for use in the funding and operation of the applicable Department or Program.
- d. The Dean shall consider the following factors: (1) the nature and cost of the accommodation requested; (2) the overall financial resources of the Department; (3) the number of persons employed in the Department; (4) the effect of the accommodation on expenses and resources of the Department; (5) legitimate safety requirements that are necessary for safe operation; (6) other significant impacts on the department including employee rights under the applicable collective bargaining agreements; (7) the geographic separateness and the administrative or fiscal relationship of the department to the District; (8) the overall size and financial resources of the District; and (9) the goals and purpose of the District in educating a large and broad number of students. For clinical placements, the Dean shall also consider and consult with the clinical placement facility regarding the logistics of implementing the accommodation.
- e. If it is determined that the proposed accommodation is an undue burden, the Dean shall provide a written statement of the reasons for reaching that conclusion.
- f. When there arises a direct and unavoidable conflict between a necessary accommodation for a student and a provision of one of the College's collective bargaining agreements, to the extent that the collective bargaining agreement is an equal or superior source of law, this conflict will be taken into account in determinations of undue burden. Where undue burden is established, the President of the College will certify this determination, record in writing the determination and its basis, and provide a copy of the written determination and basis to the student. The College will not take more than fifteen (15) instructional days to reach its determination and will provide the student with interim accommodations as effective as possible without entailing the alleged conflict.
- g. For clinical placements, if LMC has approved the proposed accommodation, and the clinical placement cannot or will not implement it, LMC shall do one or more of the following: (1) work with the placement to implement the accommodation or negotiate implementation of an equally effective alternative; (2) place the student in another placement that is equally effective for the student; or (3) end the relationship with the placement.
- h. Whenever the President concludes that undue burden has occurred, the College will engage with the student in an interactive process to determine whether there is an equally effective alternative accommodation that does not entail an unavoidable conflict with any legally equal or superior provision of the collective bargaining agreement.

- i. Whenever the President concludes that undue burden has occurred, the student will also be advised of his/her right to file a grievance under the College's Section 504/ADA disability grievance procedure as well as his/her right to file a complaint with the U.S. Department of Education, Office for Civil Rights.

Procedures For Determining Whether An Accommodation Would Fundamentally Alter College Academic Requirements

To be successful in a course or program, each student must achieve the required outcomes of the course or program by demonstrating that he or she has mastered the essential skills and knowledge for that course or program. Students with disabilities are not excused from this requirement. However, they are entitled to acquire and demonstrate this knowledge and these skills while using academic adjustments and auxiliary aids (accommodations).

There may be instances where a College faculty or Disabled Students Programs and Services member believes that providing an accommodation requested by a student with a disability would fundamentally alter the course or program requirements for that student. This may arise when the student initially requests an accommodation from DSP&S or be raised by an instructor after DSP&S approves an accommodation. For example, a student may request as an accommodation a course substitution for course that a faculty member believes is essential to the program in which the student is enrolled or believes that the course proposed for substitution fails to provide knowledge of an equivalent value. Or, a student may request as an accommodation a modification to a particular course, such as requesting that the student be tested only with essay questions when the instructor only uses multiple choice questions. These are case-by-case determinations that may vary, for example, based on the major area of academic concentration.

If DSP&S, an instructor, or the department raises a concern about fundamental alteration, DSP&S, in conjunction with the department chair and applicable Dean, will determine whether the accommodation or an equally effective alternative will be implemented pending a review and determination by the College as to whether the accommodation would be a fundamental alteration of a program requirement.

The Factors to be considered in determining whether an accommodation is a fundamental alteration shall include the following:

- a. What is the purpose or objective of the course, requirement, standard, testing practice, procedures or rule in question (For example, what is the purpose of a requirement that a student demonstrate a particular skill or pass a test)?
- b. How is the purpose or objective related to the requirements for the student's program or degree?
- c. What skills and knowledge must be mastered by students who take the course, or enroll in or complete the degree/program?
- d. What is the minimum level of mastery that must be demonstrated by students?

- e. What are the reasons for the chosen instructional methods, evaluation methods, and evaluation requirements?
- f. Are the answers to these questions generally consistent between all instructors of a course, or in a program?

Process to Determine Whether Accommodation is a Fundamental Alteration

If a student seeks an accommodation that either DSP&S, a faculty member, or the department believes would be a fundamental alteration of a College academic requirement, the Senior Dean of Student Services will implement the following process in a timely manner to resolve the question:

- a. **The Senior Dean will determine whether there is a reasonable (logical and credible) basis for the position that implementing the accommodation would result in a fundamental alteration of a requirement; the objection to the accommodation cannot be merely a pretext for discrimination. If there is no reasonable basis, the Senior Dean will require that the accommodation be implemented immediately. (For example, a faculty member objects to an accommodation that has routinely been allowed, and offers no new information to support the objection; or the faculty member objects to the accommodation on an impermissible basis, such as the faculty member does not believe the student really has a disability, which should be decided by DSP&S).**
- b. **If a reasonable basis exists, the Senior Dean will verify that the instructor, department, and/or program have articulated the essential requirements for the course and/or program and provided notice of them to students.**
- c. **The Senior Dean will appoint a committee of objective persons who collectively are knowledgeable about the academic area; any related licensing requirements, any applicable accreditation for the course of study, the student's disability, and accommodation methods. The committee will not be limited exclusively to individuals from the department that provides the course or program.**
- d. **The committee will identify the objective of the requirement, taking into consideration the information provided by the instructor, program or department concerning essential requirements, including curriculum approval or course creation documents. The committee will ensure that the requirement is not simply based on tradition or routine practice without direct connection to essential requirements.**
- e. **The committee will consider whether the requirement is consistent with similar programs at other educational institutions, and with relevant national and expert guidelines; and whether there is any**

unique justification for a requirement that is not generally adopted by other educational institutions.

- f. The committee will consider information provided by the student relevant to determining whether notice of the essential requirement in question has been provided to the student, and whether the accommodation requested by the student would invalidate or is significantly inconsistent with the objective of the requirement.**
- g. The committee will determine whether the accommodation requested by the student would invalidate or is significantly inconsistent with the objective of the requirement. If not, the accommodation will be implemented.**
- h. If the requested accommodation would invalidate or is significantly inconsistent with the objective of the requirement, the committee (or designated members) will promptly and diligently search for alternate accommodations in consultation with the faculty member, DSP&S, and the student. The committee will address the following: (i) are there alternate ways that the student can acquire or demonstrate mastery of the skill that would meet the same fundamental objectives of the course or program; (ii) has the Department/College diligently searched for potential alternatives?; (iii) has the Department/College included all necessary people in the search; (iv) has the Department/College identified whether other postsecondary institutions have identified alternatives that achieve the objectives of the College without fundamentally altering requirements?**
- i. If identified, alternate accommodations not entailing a fundamental alteration or an undue burden will be implemented. (Final undue burden decisions can only be made by the President of the College.)**
- j. The Senior Dean will ensure that the student is provided the opportunity to give information to the committee and that the student is given prompt written notice of committee decisions. The Senior Dean will also facilitate any discussions between the student and the committee, department, program or instructor, and DSP&S, concerning accommodations for the student.**

To ensure equality of access for students with disabilities, academic accommodations and auxiliary aids shall be provided to the extent necessary to comply with state and federal laws and regulations and shall specifically address those functional limitations of the disability, which adversely affect equal educational opportunity. The goal of all academic accommodations and auxiliary aids is to minimize the effects of the disability on the educational process. The student needs to be given the opportunity both to acquire information and to be evaluated in a way that allows the student to fully demonstrate his/her knowledge of the subject. The goal is not to lower academic standards by giving the student reduced assignments or assignments that are not

comparable in content or complexity. The college recognizes that when the severity of a disability of an otherwise qualified student precludes successful completion of a required course, despite a good faith effort on the part of the student to complete the course, and despite provision of accommodations and/or auxiliary aids, a course substitution shall be considered. A complete copy of LMC's Substitution Policy can be obtained from the DSP&S Program or the Academic Senate.

AMERICANS WITH DISABILITIES ACT 1990 (ADA)

Overview of the ADA

The Americans with Disabilities Act (ADA) extends federal civil rights protection in several areas to people who are considered "disabled." Built upon a body of existing legislation, particularly the Rehabilitation Act of 1973 and the Civil Rights Act of 1964, the act states its purpose as providing "a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities."

The ADA is not an affirmative action statute. Instead, it seeks to dispel stereotypes and assumptions about disabilities, and to assure equality of opportunity, full participation, independent living and economic self-sufficiency for disabled people. To achieve these objectives, the law prohibits covered entities from excluding people from jobs, services, activities or benefits base on disability. The law provides penalties for discrimination.

Not every disabled person is covered by the ADA. Certain standards must be met for a person to qualify for the act's protections. To be considered "disabled" under the ADA, a person must have a condition that impairs a major life activity or a history of such a condition, or be regarded as having such a condition.

A disabled person must be qualified for the job, program or activity to which he or she seeks access. To be qualified under the ADA, a disabled person must be able to perform the essential functions of a job or meet the essential eligibility requirements of the program or benefit, with or without an accommodation to his or her condition.

Much of the language in the ADA is taken from existing, federal civil rights law and court decisions. Definitions of terms, such as employee, employer, commerce, etc., are taken from Title VII of the Civil Rights Act. Other terms, such as "reasonable accommodations"; "qualified individual with a disability"; "essential functions" and "undue hardship" come directly from Section 504 of the Rehabilitation Act of 1973, which prohibits federal fund recipients from discriminating on the basis of disability in their programs and activities.

The ADA has five titles, which cover employment, public services and transportation, public accommodations, telecommunications, and miscellaneous provisions. The various sections of the act become effective at different times. An overview of the separate provisions follows:

Employment (Title I)

The ADA prohibits employers with 15 or more employees (25 or more workers for the first two years at the effective date) from discriminating against qualified job applicants and workers who are or become disabled. The law covers all aspects of employment, including the application and hiring process, on-the-job training, advancement and wages, benefits, and employer-sponsored social activities.

A qualified disabled person is someone who, with or without a reasonable accommodation, can perform the essential functions of the job in question. An employer must provide reasonable accommodations for disabled workers, unless that would impose an undue hardship on the employer.

Public Services and Transportation (Title II)

Title II of the ADA prohibits state and local governments, and educational institutions from discriminating against disabled people in their programs and activities.

The law requires bus and rail transportation to be accessible to disabled passengers. Air transportation is not covered by the ADA. New public buses and new train cars in commuter, subway, intercity (Amtrak) and light rail systems must be accessible to disabled riders. All new stations and facilities and "key" subway and light rail stations must be made accessible. Where fixed-route and rail bus service is offered, a public transit agency must also offer para-transit service.

Public Accommodations (Title III)

The ADA prohibits private operated public accommodations from denying goods, programs and services to people based on their disabilities. Covered businesses must accommodate disabled patrons by changing policies and practices, providing auxiliary aids and improving physical accessibility, unless that would impose an undue burden.

New and renovated commercial buildings must be accessible. Existing public accommodations must remove architectural and communications barriers where such removal is "readily achievable." Title III also requires providers of private transportation service, such as private bus lines and hotel vans, to make their vehicles and facilities accessible.

Telecommunication (Title IV)

Title IV of the ADA requires telephone companies to provide continuous voice transmission relay services that allow hearing and speech-impaired people to communicate over the phone through telecommunications devices for the deaf. In addition, Title IV requires that federally funded television public service messages be closed-captioned for hearing-impaired viewers.

Other Provisions (Title V)

Miscellaneous provisions in Title V require the Architectural and Transportation Barriers Compliance Board to issue accessibility standards; attorneys fees to be awarded to

prevailing parties in suits filed under the ADA; and federal agencies to provide technical assistance. Title V states specifically that illegal use of drugs is not a covered disability under the act. It also provides that states are not immune from suits under the ADA and those other federal, state and local laws that provide equal or greater protection to individuals with disabilities are not superseded or limited by the ADA.

Disagreements with Accommodations

Federal and state law and Board policy state that the institution has to provide equal access. In the area of academic accommodations, the role of DSP&S is to assist the college and instructors in meeting their legal obligations to students with disabilities.

If an instructor receives an accommodation form and doesn't understand or disagrees with the accommodation, it is the instructor's professional responsibility to contact DSP&S and possibly the instructional manager to discuss the issue.

LMC will take the following steps:

- (i) Attempt to resolve the matter informally with the instructor. Any proposed resolution may include discussions with the student, if appropriate.
- (ii) If the matter is not resolved with the instructor within five (5) calendar days, the DSP&S coordinator will ensure that the student's approved accommodations are implemented pending final decision in the matter. If the instructor raises the issue of undue burden or fundamental alteration, LMC will follow the procedures set forth in this Handbook under Procedures for Requesting Academic Accommodations for addressing these issues.
- (iii) The DSP&S coordinator will refer the matter to the Dean of Student Development, who will consider the DSP&S basis for the approved accommodations, the instructor's objections, and reasons therefore, and will issue a final decision within ten (10) calendar days of receiving the referral from the DSP&S coordinator.
- (iv) If the instructor disagrees with this disposition, the instructor may file a complaint pursuant to the applicable collective bargaining agreement or other applicable policies and procedures.

DSP&S is here to discuss situations with you as they arise. Although accommodations must be provided if needed to compensate for a disability, the delivery of accommodations often involves a creative process.

Essential Performance Form

Nursing Department

Los Medanos College

Name: _____
Last First MI

Mailing Address: _____
Street City State ZIP Code

E-Mail Address: _____ Cell phone: _____

Essential Performance Background:

The Americans with Disabilities Act (ADA) of 1990 was instituted by Congress to prohibit discrimination against qualified individuals with disabilities. Schools of Nursing and State University systems, like other state and federally funded entities, are required to comply with the stipulations of the ADA. The ADA defines a qualified individual with a disability as an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the position that such individual holds or desires. In addition, the Rehabilitation Act of 1973 prohibits discrimination in admissions of a qualified person with disabilities.

Under Section 504 and Title II of the ADA, an individual with a disability is one who has a mental or physical impairment that substantially limits one or more major life activities. Under Section 504, with respect to postsecondary education services, a qualified individual with a disability is one who meets the academic and technical standards requisite to admission or participation in the College's nursing programs. Under Title II, a qualified individual with a disability is one who, 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, meets the essential eligibility requirements for the receipt of services or participation in the College's nursing program.

Reasonable accommodations for students with disabilities either temporary or permanent will be considered on a case-by-case basis and in consultation with the DSP&S Office at Los Medanos College where appropriate.

In compliance with the ADA and the recommendations of the American Academy of Colleges of Nursing, Los Medanos College's Nursing Program will institute the following health regulations and policies.

Health Regulations and Policies:

To enter into and to complete the nursing program, students must be able to meet the emotional, cognitive, and physical requirements of the essential performance standards listed below as required by the School of Nursing. The Director of the DSP&S Program will have the authority to make the final determination regarding the physical fitness, cognitive capacity, or emotional stability of a particular student to enter and/or continue in the program.

In order to participate in Los Medanos College's Nursing Program students are required to travel to agencies and hospitals, and to homes with unpredictable environments. Students need to have the endurance to adapt to a physically demanding program.

The following physical, emotional, and cognitive requirements would be necessary to participate in the clinical application courses in nursing:

1. Strength: sufficient strength to lift, move, and transfer most patients; to restrain and carry children; to move and carry equipment; and to perform CPR which requires sufficient body weight and adequate lung expansion.
2. Mobility: sufficient to bend, stoop, bend down on the floor; combination of strength, dexterity, mobility and coordination to assist patients; ability to move around rapidly; and to move in small, confined areas.
3. Fine Motor Movements: necessary to manipulate syringes and IVs; to assist patients with feeding and hygiene; to write in charts; to perform sterile procedures and other skilled procedures.
4. Speech: ability to speak clearly in order to communicate with staff, physicians, and patients; need to be understood on the telephone.
5. Communication: able to communicate in English both verbally and written format so that students can communicate nursing actions, interpret client responses, initiate health teaching, document and understand nursing activities, and interact with clients, staff and faculty supervisors.
6. Vision: sufficient to make physical assessments of patients and equipment,
7. Hearing: sufficient to accurately hear on the telephone; to be able to hear through the stethoscope to discriminate sounds; to hear cries for help; to hear alarms on equipment and emergency signals; and various overhead pages.
8. Touch: ability to palpate both superficially and deeply and to discriminate tactile sensations.
9. Emotional Requirements: The student must have sufficient emotional stability to perform under stress produced by both academic study and the necessity of performing nursing care

in real patient situation while being observed by the instructors and other health care professionals.

10. Cognitive Requirements: The student must have sufficient cognitive ability to listen, speak, read, write, reason and perform essential mathematical functions (addition, subtraction, multiplication, division, percentages and fractions without a calculator) at a level that allows processing and understanding of materials and information presented either verbally or in written format.
11. General Health: nursing is considered to be a high-risk profession for exposure to Hepatitis B and other contagious disease. Immunizations required by the Department of Nursing reduce this risk for nursing students, but do not eliminate it entirely. The following students need a physician's note to participate in the program: student with impaired or deficient immune systems; and, pregnant women. Such students must have physician approval prior to participation in clinical courses, and must discuss their situation with the clinical instructor.

Temporary Disabilities:

Although ADA guidelines and California State Law do not require that campuses provide accommodations to students with temporary disabilities (disabilities less than 3 months) campuses may decide on a case-by-case basis to provide accommodations and support to temporarily disabled students.

Student Rights and Responsibilities

I understand that these are the "essential performance functions" of a School of Nursing clinical assignment. I have the right to be screened for a Disability Services Application for Services and a Verification of Disability form to _____

I understand that the development of any new disability during my program of study will require immediate notification to the Director of Student Disability Services for consideration and action, and communication with my professor(s) and/or clinical instructor.

I have read the Essential Performance Form and fully understand its contents and implications, and the procedures to follow when requesting a reasonable accommodation.

Applicant's Signature

Date

Note: If you have any questions regarding the above form, please feel free to contact the DSP&S Program at Los Medanos College.