



DSP&S FACULTY HANDBOOK



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DSP&S
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INTRODUCTION

The purpose of this handbook is to help you become more effective and knowledgeable in working with students with disabilities. It presents information on various disabilities, definitions, and emergency procedures, and highlights universal design strategies for the classroom. Faculty responsibilities for complying with accommodation requests and referring students to DSP&S are also included.

It is the mission of DSP&S to facilitate access for students with disabilities to the educational programs, student services, and activities of Los Medanos College.

Access is facilitated by providing

- Specialized counseling and advising including educational planning, determining educational limitations which require accommodations, and services available to support learning
- Accommodations such as testing accommodations, note taking, recording lecture and assistive technology
- Support services such as tutoring
- Learning Skills courses to improve skills
- In-service activities to assist faculty and staff in compliance with legal requirements and accommodations
- Advocacy

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 result in unfair advantage, require significant alteration to the program or activity, result in the lowering of academic or technical standards, or cause the college to incur undue financial hardship.

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 Americans with Disabilities Act of 1990 extends federal civil rights protection. It prohibits excluding people from jobs, services, activities or benefits based on disability. The major federal laws that govern Los Medanos College's response to students with disabilities: the Americans with Disabilities Act (ADA) and the Section 504 of the Rehabilitation Act, and Section 508. These laws protect the civil rights of students with disabilities. The legal obligations under the ADA and Sections 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 and clarify any questions. We also invite your input and ideas.

DSP&S can also provide training for your department, program or on an individual basis. Please contact the DSP&S office to schedule a training session.

Keep in mind, asking a student to disclose their disability is a violation of the student's confidentiality and right to privacy.

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 accommodations and services available to qualified students with disabilities:

Accessible Furniture

DSP&S provides more accessible furniture such as ergonomic chairs and tables for students who qualify. These furniture items are marked as reserved for students. Sometimes, other students who prefer the larger space may assume this furniture is for anyone. Your assistance ensuring that the student requesting the accommodation receives seating in the specified furniture may be needed.

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 functional limitations in licensing or certification requirements in the profession. We coordinate necessary support services and act as a resource to help students obtain appropriate services beyond those provided at LMC.

Learning Skills Courses

Courses designed specifically for students with disabilities, include:

- 1) LRNSK 50 provides instruction in the development of reading and writing skills
- 2) LRNSK 70 provides instruction in assistive computer technology
- 3) LRNSK 81 & 82 provide instruction in basic math skills in a self-paced format

Adaptive PE is no longer offered. Please consult with DSP&S regarding any accommodations for students in physical education courses.

Priority Registration

It is sometimes critical that students with disabilities enroll in a particular section of a class to allow for accommodations (to coordinate interpreter schedules or to allow for

extended time for exams, for example) or courses at particular times to accommodation medications. To alleviate these problems, DSP&S offers priority registration to qualified students. Students with disabilities must also meet the Student Success requirements of orientation, assessment, education planning, good standing and under 100 units.

Specialized Tutoring

Specialized tutoring is offered as funding allows. Currently English and Math tutoring for students with disabilities is provided.

Testing Accommodations

Testing accommodations also include quizzes and in-class writing assignments. The most appropriate method of administering a test depends upon the student's disability and the design of the test. Many different disabilities require accommodations such as extended time, a quiet room to vocalize material, breaks, use of a memory aid, calculator, or alternate media materials (enlarged print, Braille, audio format). DSP&S testing centers proctor students including video monitoring for the accommodations each student is allowed. DSP&S may proctor exams in the DSP&S Testing Centers at each campus location to the instructor's specifications.

Testing with memory aids could include: condensed notes or formulas. DSP&S will not request you change a closed book exam to an open book exam. Memory aids may be a short note card or specified amount of notes approved by faculty. Faculty may ask for students to submit memory aid material in advance of the exam or to turn in the condensed note card with the exam. DSP&S often recommends a 3x5 note card as a standard for many students with disabilities receiving this accommodation.

Liaison to Campus and Community

Students are instructed to advise instructors that they plan to request accommodations such as testing or note taking accommodations. DSP&S 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 for currently enrolled students. Students may be referred by faculty or self-referred. While there is no cost to students for learning disabilities assessment, students who already receive DSP&S support may not qualify for additional learning disabilities assessment.

Scribes and Note takers

Scribes are hired to write down the exact information presented by the student receiving the accommodation. Scribes are not tutors and do not edit or correct information dictated by the student. Scribes are not enrolled students in the section. Scribes should be seated next to the student receiving the accommodation. Scribe services are provided for students with disabilities impacting their ability to write. Please be aware that the coordination of scribe services requires advance notice.

Note takers are provided when students have a disability impacting focus, memory and/or learning. DSP&S may also recommend (when appropriate) students use an audio recorder to record class lectures. DSP&S will provide recording devices with a small deposit for the entire semester.

DSP&S will often request faculty assistance to make class room announcements requesting volunteer note takers.

Service Animals

Service Animals must be a dog or a miniature horse who is trained to provide a specific task for the student with a disability. Service Animals must be under the control of the student at all times on campus. Service Animals may not be petted while working on campus. Service Animals will lay quietly during class unless performing a task for the student such as guiding, alerting, or picking up items from the floor. Service Animals are also required to abide by the student code of conduct while on campus. Service Animals are permitted anywhere the students may go.

Alternate Media Materials

Textbooks in alternate formats such as audio, enlarged print, and Braille can be obtained through the DSP&S office. Textbook purchase or rental from the bookstore is required for alternate media materials. Students often also request handouts in alternate formats as well. If a student requests handouts in alternate format, please send all materials as soon as possible to DSP&S.

Sign Language Interpreters and Captioners for Deaf and Hard of Hearing Students

DSP&S provides sign language interpreters and/or captioners for classroom and educational activities required by classes or program participation. For students using a sign language interpreter, two additional chairs for the interpreters are needed (two sign language interpreters will be present during class). The interpreters generally will sit near the front of the class room with the student(s) using the service seated in close by with a clear line of sight. Interpreters will only sign while the student is watching. Interpreters will also voice student questions and class presentations.

Any film or video shown in class or posted to an online portal for the class must be captioned or provide a transcript of the text. Using youtube's captioning software is not adequate.

Architectural Barrier Removal

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

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. Any request for accommodation in a clinical setting should be referred to a DSP&S counselor. You should keep in mind that the individual institutions that host the College's training programs may have their own rules and regulations that must be followed, and not all accommodations are requested may be feasible, permissible, or reasonable. Therefore, DSP&S will work together with the student, the instructor, and the clinical institution to determine the appropriate accommodations and facilitate in implementing those accommodations.

Assistive Technology

DSP&S offers assistive technology such as screen enlargement software and voice to text software throughout campus facilities.

In Class Aides

DSP&S provides aides to assist students in complying with the student code of conduct. This service does not excuse disruptive behavior in the classroom. Aides assist in clarifying instructions and understanding social cues. Aides do not provide tutoring or note taking support in the classroom.

COMMUNICATION: 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 other students. Confidentiality is required.

Students may also decide not to use accommodations. This is also a protected right for students with disabilities.

Be Aware Of Your Language

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

Students are not required to provide their disability diagnosis to faculty members. Requiring students to disclose this information is discriminatory and does not adhere to confidentiality requirements.

Relax

Don't avoid approaching 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.

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. DSP&S provides testing accommodations at both Brentwood and Pittsburg campus locations. Advance appointments are required for students to access testing accommodations.

If you choose to provide testing accommodations, they must be equally effective as providing testing accommodations in the DSP&S Testing Centers including a quiet environment, extended time, and any other accommodations the student receives.

DSP&S often requires additional time to produce alternate media materials for students. Please send your exam to the DSP&S office at least 3 days in advance to allow for alternate media production. Also, students often request to take the exam early (for example, a class that meets at 1 pm but the student needing extra time may request to begin the exam at 11 am to get their full accommodation.) DSP&S may also request evening and weekend testing accommodations during the DSP&S office hours Monday through Friday.

HOW STUDENTS ARE SERVED THROUGH DSP&S

DSP&S has accommodations and support available at both Pittsburg and Brentwood campus locations. Students in online courses also may request accommodations from the DSP&S office.

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, consulting with DSP&S counselors regarding any accommodation concerns is recommended. You should never try to accommodate a student, or deny accommodation to a student, without working through the DSP&S office. This protects both you individually and the college. 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 office for assistance.

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 the student 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, DSP&S 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." DSP&S would be happy to provide you with brochures to hand out to interested students or to provide an in-class presentation about DSP&S.

DSP&S requires advance requests for accommodations. Students must schedule appointments for testing accommodations, tutoring and counseling sessions. DSP&S does not provide drop in testing accommodations. Students must also request note taking, aides, interpreters, captioning, and accessible furniture in advance from the DSP&S office.

UNIVERSAL DESIGN FOR AN INCLUSIVE CLASSROOM FOR STUDENTS WITH DISABILITIES

(Adapted from the AHEAD Universal Design for Inclusive Lectures and Presentations brochure)

Universal design advocates being responsive to variation in human learning styles and abilities to be the most inclusive and usable for all without the need for adaptation or special design after the fact. Examples of universal design in the everyday world include curb cuts, rolling luggage, word processor spell check and screen enlargement features.

Strategies for a universal design class:

- Welcoming and inclusive
- Detailed syllabus including calendar of exams, projects, and reading assignments
- Opportunities for interaction
- Inclusive environment: adequate space for movement, acoustics, lighting, etc.
- Ease of participation
- Opportunities for clarification
- Clear expression and vocabulary
- Straightforward and predictable
- Flexibility
- Use only captioned audio-visual material. (youtube captioning is often only 70% or less accurate)
- Provide options for participation such as note cards, written postings, and verbal options
- Powerpoint is more readable using solid dark background with light writing
- Group work: individual differences can be mediated through distribution of responsibility among the members
- Posting notes, handouts or other information on accessible online portal
- When scanning physical handouts, use a clear and easily readable copy
- Accompany visual materials with verbal description

- Allow adequate time for processing material and visual images
- Consult with DSP&S regarding accommodations especially for requests modifying assignments
- Provide directions in multiple formats: oral, written, online (if appropriate)

ADDITIONAL INFORMATION ABOUT 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.)

Interpreters

Some of the students will attend classes with a sign language interpreter. 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. Captioning for any video or film shown in class is required. 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.

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

Interpreters will voice student questions and any class presentations required for students.

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.

Learning disability (LD) is defined by Title V as a persistent condition of presumed neurological dysfunction which may exist with other disabling conditions. The dysfunction is not explained by lack of educational opportunity, lack of proficiency in the language of instruction, or other non-neurological factors, and this dysfunction limits the student's ability to access the educational process. To be categorized as a student with a learning disability a student must meet the following criteria through psycho-educational assessment verified by a qualified specialist certified to assess learning disabilities:

- (a) Average to above-average intellectual ability; and
- (b) Statistically significant processing deficit(s); and/or
- (c) Statistically significant aptitude-achievement discrepancies

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

ATTENTION DEFICIT HYPERACTIVITY DISORDER (ADHD)

Attention-Deficit Hyperactivity Disorder (ADHD) is defined by Title V 1as a neurodevelopmental disorder that is a persistent deficit in attention and/or hyperactive and impulsive behavior that limits the student's ability to access the educational process.

INTELLECTUAL DISABILITY

Intellectual disability (ID) is defined by Title V as significant limitations both in intellectual functioning and in adaptive behavior that affect and limit the student's ability to access the educational process.

An individual may have an intellectual disability when:

- (a) the person's functioning level is below average intellectual ability; and
- (b) the person has significant limitations in adaptive skill areas as expressed in conceptual, social, academic and practical skills in independent living and employment; and,
- (c) the disability originated before the age of 18

ASPERGER'S AND AUTISM SPECTRUM DISORDERS

Autism Spectrum disorders are defined as neurodevelopmental disorders described as persistent deficits which limit the student's ability to access the educational process. Symptoms must have been present in the early developmental period, and cause limitation in social, academic, occupational, or other important areas of current functioning.

Instructional Strategies for Students with Asperger's and Autism Spectrum Disorders

Introduction

There is a range of inclusive teaching strategies that can assist all students to learn but there are some specific strategies that are useful in teaching a group which includes students with mental illness.

In considering alternative forms of assessment, equal opportunity, not a guaranteed outcome, is the objective. You are not expected to lower standards to accommodate students with a disability, but rather are required to give them a reasonable opportunity to demonstrate what they have learned.

First Day of Class

- Include a statement in your course syllabus regarding accommodation issues for students with disabilities. See the Suggested Disability Statement for course syllabi.
- Students who have been diagnosed with Asperger's Syndrome/Autism Spectrum Disorders often find it helpful when the course syllabus is written with clearly defined assignment deadlines as the need for organization is important to them.
- Invite students to self-identify on the first day of class by making a public statement such as: "Please contact me to discuss disability accommodations."

- Provide clear, detailed information (oral and written) about the structure of the course, practical arrangements, assessment requirements and deadlines

Lectures and other Teaching Sessions

- Respect any need for routine, e.g., the student may wish to sit in the same seat at every lecture.
- Give advance notice of unusual events such as field trips or exams. Change is often hard to deal with.
- Group work may be particularly challenging. Students may find it particularly difficult to participate in group work and a sensitive approach to handling any problems that arise from this type of work needs to be employed.
- Be aware of the need for extra support and take this into account in assessments — or devise an alternative assessment method to group work.
- Be aware that teaching strategies useful for students with Asperger's syndrome may be useful for everyone.
- Try to understand and act upon the requirements of a student with Asperger's syndrome; this is one of the most supportive strategies you can adopt.
- Be consistent in approach and keep variations to a minimum — if a change (e.g. in a timetable, room, lecturer) is inevitable give clear, specific information with as much advance notice as possible.
- Use clear, unambiguous language (spoken and written) and avoid or explain metaphors, irony etc and interpret what others say- give explicit instructions and check that the student is clear about what he/she has to complete.
- Present course materials and instructions in a structured way using literal language - show how components fit together as a whole. Provide subject lists, glossaries of terms and acronyms
- Students may have difficulties in motivation for certain parts of their course due to them having a particular interest in one aspect of it. Set concrete, realistic goals to assist motivation e.g. "If you want to become an engineer you must complete all parts of the course, even the essays".
- Use detailed, clear instructions. Do not assume that a student who has Asperger's Syndrome will automatically understand what you mean.

Written Assignments and Examinations:

- Poor fine-motor co-ordination may result in extremely poor handwriting. Use of a word processor in lectures may be beneficial.
- The writing assignments of individuals with AS are often repetitious, flit from one subject to the next, and contain incorrect word connotations. These students frequently do not know the difference between general knowledge and personal ideas and therefore assume the teacher will understand their sometimes obscure expressions;
- When assigning timed units of work, make sure the student's slower writing speed is taken into account;

Arrangements that may Benefit the Student Include:

- Seeing previous examples of exams to be aware of the structure of the exam and what is expected
- Knowing the layout of the exam room and location of their seat to alleviate anxiety

- Language modification of the written exam may be necessary to ensure the language used is as literal as possible and not open to misinterpretation.

General Ideas:

Issues Involving Emotional Vulnerability

Teaching strategies that may benefit the student include:

- Be calm, predictable, and matter-of-fact in interactions with the student with AS, while clearly indicating compassion and patience. Do not expect the student with AS to acknowledge that he or she is sad/ depressed. In the same way that they cannot perceive the feelings of others, these students can also be unaware of their own feelings. They often cover up their depression and deny its symptoms;
- Teachers must be alert to changes in behavior that may indicate depression, such as even greater levels of disorganization, inattentiveness, and isolation; decreased stress threshold; chronic fatigue; crying; suicidal remarks; and so on. Do not accept the student's assessment in these cases that he or she is "OK", make a mental health referral so that the student can be evaluated for depression and receive treatment if this is needed. Because these students are often unable to assess their own emotions and cannot seek comfort from others, it is critical that depression be diagnosed quickly.

Issues Involving Academic Difficulties

- Do not assume that students with AS understand something just because they parrot back what they have heard;
- Offer added explanation and try to simplify when lesson concepts are abstract;
- Capitalize on these individuals' exceptional memory: Retaining factual information is frequently their forte;
- Emotional nuances, multiple levels of meaning, and relationship issues as presented in novels will often not be understood;
- Students with AS often have excellent reading recognition skills, but language comprehension is weak. Do not assume they understand what they so fluently read;
- Academic work may be of poor quality because the student with AS is not motivated to exert effort in areas in which he or she is not interested. Very firm expectations must be set for the quality of work produced.

Issues Involving Poor Concentration

- A tremendous amount of regimented external structure must be provided if the student with AS is to be productive in the classroom. Assignments could be broken down into small units, and frequent teacher feedback and redirection could be offered;
- Students with severe concentration problems benefit from timed work sessions. This helps them organize themselves. Students with AS can sometimes be stubborn; they need firm expectations and a structured program that teaches them that compliance with rules leads to positive reinforcement (this kind of program motivates the student with AS to be productive, thus enhancing self-esteem and lowering stress levels, because the student sees himself as competent);
- Seat the student with AS at the front of the class and direct frequent questions to him or her to help him or her attend to the lesson;

- Work out a nonverbal signal with the student for times when he or she is not attending;
- The teacher must actively encourage the student with AS to leave his or her inner thoughts/ fantasies behind and refocus on the real world. This is a constant battle, as the comfort of that inner world is believed to be much more attractive than anything in real life.

Issues Involving Restricted Range of Interests

- Do not allow the student with AS to perseveratively discuss or ask questions about isolated interests. Limit this behavior by designating a specific time during the class when the student can talk about this;
- These students respond to compliments (e.g., in the case of a relentless question-asker, the teacher might consistently praise him/her as he/she pauses and congratulate him/her for allowing others to speak);
- Some students with AS will not want to do assignments outside their area of interest. Firm expectations must be set for completion of class work. It must be made very clear to the student with AS that he/she is not in control and that he/she must follow specific rules. At the same time, however, meet the students halfway by giving them opportunities to pursue their own interests.
- Use the student's fixation as a way to broaden his or her repertoire of interests.

Issues Involving Impairment in Social Interactions

- Protect the student from bullying and teasing by maintaining a classroom built on mutual respect for other ideas;
- Emphasize the proficient academic skills of the student with AS by creating cooperative learning situations in which his or her skills, memory and so forth will be viewed as an asset by peers, thereby engendering acceptance;
- Most students with AS want friends but simply do not know how to interact. Given repertoires of responses to use in various social situations they can navigate basic social situations. Model two-way interactions and let them role-play. These students' social judgment improves only after they have been taught rules that others pick up intuitively. They must learn social skills intellectually. They lack social instinct and intuition.

Issues Involving Insistence on Sameness

- Provide a predictable and safe environment;
 - Minimize transitions;
 - Offer consistent classroom routine: The student with AS must understand each day's routine and know what to expect in order to be able to concentrate on the task at hand;
 - Avoid surprises: Prepare the student thoroughly and in advance for special activities, altered schedules, pop quizzes or any other change in routine, regardless of how minimal;
 - Allay fears of the unknown by exposing the student to the new activity as soon as possible after he or she is informed of the change, to prevent obsessive worrying.
- Adapted from Ferris State University's Instructional Strategies*

MOBILITY RELATED DISABILITIES

Mobility related disabilities are caused by orthopedic or other health related impairments, such as muscular dystrophy, carpal tunnel syndrome 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 accommodation.
which necessitates the use of one or more of the supportive services or programs.
(Title V)

Physical Accessibility

If your class or event is in an inaccessible location, DSP&S will request the Department Chair and/or Instructional Dean move the class or event to an accessible location. DSP&S can also provide accessible furniture if appropriate for students upon request.

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.

Classroom Considerations

Classes taught in laboratory settings may 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 always be modified so that the student with a mobility impairment can participate.

VISUAL IMPAIRMENTS

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 and difficulty seeing in lower light.

Some students who are blind will use Braille, but many do not use it. Most students with visual impairments can acquire information through listening.

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.

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 campus police be summoned in case of grand mal seizures.
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.

OTHER DISABILITIES

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

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.

MENTAL HEALTH DISABILITIES

These are students who have psychiatric or mental health disorders, emotional problems that may or may not affect their academic performance, or a chemical dependency on drugs or alcohol. As 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.

DIABETES

Students with diabetes generally require no classroom accommodations. Occasionally they may need to snack or have access to juice or other fluids during class. If these problems arise, please call the campus emergency number.

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
- Access to campus websites

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 LMC purchases 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. ATMs, 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 website 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. All instructional and informational video media must be closed captioned. For example, closed captioning of all television broadcasts, video taped distance education course materials, and any video material required for a course shall be provided to persons needing captioning as an accommodation. In order to comply with this law, all video materials 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 audio 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.

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.

Essential Functions Form
Registered Nursing and Vocational Nursing Students
Los Medanos College

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 employment position that such individuals holds or desires. In addition, the Rehabilitation Act of 1973 prohibits discrimination in admissions of a qualified person with disabilities.

Reasonable accommodations for students with disabilities either temporary or permanent will be considered on a case-by-case basis and in consultation with the DSPS Office at Los Medanos College and the clinical agencies as appropriate.

To enter into and to complete the nursing program, nursing students must be able to meet the emotional, cognitive, and physical requirements listed below:

Emotional Requirements:

The nursing program is a rigorous program, both in academic study and in the acquisition and practice of clinical skills. The student must have sufficient emotional stability to perform under stress and provide safe nursing care to clients in the clinical setting while being observed by the instructors and other health care professionals.

Cognitive Requirements:

The student must have sufficient cognitive ability to listen, speak, read, write, reason and perform mathematical functions (addition, subtraction, multiplication, division, percentages, and fractions with or without a calculator) at a level that allows processing and understanding of materials and information presented either verbally or in written format.

Physical Requirements:

Nursing students are required to travel to clinical facilities (i.e., outpatient, acute care settings, skilled facilities) and to have the endurance to adapt to a physically demanding program.

The following physical requirements are necessary for the nursing program:

1. **Strength:** sufficient strength to lift, move, and transfer most clients, to restrain and carry children, to move and carry equipment, and to perform CPR according to the American Heart Association guidelines.
2. **Mobility:** sufficient mobility to bend, stoop, bend down to the floor, combination of strength, dexterity, mobility and coordination to assists clients, ability to move around rapidly, and move in small, confined spaces.
3. **Fine Motor Movements:** required to manipulate syringes and IV's, to assist clients with feeding and hygiene needs, to write in charts and use computer keyboards, to perform sterile and other skilled procedures.
4. **Speech:** ability to speak clearly in order to communicate with staff, physicians, clients, and families, and to be understood on the telephone.
5. **Communication:** able to communicate in English both verbally and in the written format so that students can communicate nursing actions, interpret client responses, initiate health teaching, document observations, interactions, interventions, and nursing care. Document and understand nursing activities, interact with clients, families, staff, and faculty.
6. **Vision:** sufficient to make physical assessment of client and to accurately and safely use and apply client equipment.
7. **Hearing:** sufficient to accurately hear on the telephone, to be able to hear through a 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 to discriminate tactile sensations.

In an eight-hour work day, the student is expected to be able to:

ACTIVITY	RARELY (1-10%)	OCCASIONALLY (11-33%)	FREQUENTLY (34-66%)
Bend/Stoop			X
Squat			x
Reach above shoulder level			x
Kneel			x
Push/pull			x

Requirements						
Weight						
<u>Never</u> <u>Occasionally-</u> <u>Frequently</u>						
Activity	0-10 Lbs.	11-24 Lbs.	25-34 Lbs.	35-50 Lbs.	51-74 Lbs.	75-100 Lbs
Lifting	F	F	○	○	○	○
Carrying	F	○	○	○	○	○
Push/pull	F	F	F	○	○	○

Hearing Acuity – Sharp with correction
Visual Acuity – Precise with correction
Manual Dexterity – Required

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.