Disabled Students Programs and Services

Reference:  *Education Code Sections 67310 and 84850; Title 5, Section 56000 et seq.; Section 504 Rehabilitation Act of 1973; Title 2, Americans with Disabilities Act Title III-4.2300*

**Introduction**

The Shasta-Tehama-Trinity Joint Community College District (the District) will adhere to the following procedures for ensuring that students with documented disabilities receive reasonable and appropriate academic adjustments, auxiliary aids, services, and/or instruction. These procedures are in accordance with the Office of the California Community College Chancellor (Chancellor’s Office) Implementing Guidelines for the Title 5 Regulations, Disabled Students Programs and Services. The District acknowledges that Disabled Student Programs and Services (DSPS) has been delegated authority by the Chancellor’s Office to prescribe academic adjustments, auxiliary aids, services, and/or instruction for students who have been certified verified as having a disability.

The fundamental principles of non-discrimination and reasonable accommodation in academic programs are identified in the implementing regulation for Section 504 of the Federal Rehabilitation Act of 1973. Section 504 regulations provide that:

“No qualified handicapped student shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any…post-secondary education program or activity… [34 C.F.R. § 104.43(a)]”

“(An institution)...shall make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped applicant or student.... Modifications may include changes in length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted. [34 C.F.R. § 104.44(a)]

**Mission Statement**

The mission of Disabled Students Programs and Services (DSPS) is to support students in acquiring equal access to Shasta College programs and facilities, to provide services and instruction for students in reaching their optimal level of achievement while developing lifelong skills, and to serve as a specialized resource for students, faculty, staff, and the community.

**Goals and Objectives**

Through the Integrated Planning Cycle, Shasta College assesses its institutional effectiveness through planning processes that link to one another in a cycle of assessment, goals and objectives, program review, resource allocation, plan implementation, and re-assessment. Disabled Students Programs and Services participates fully in this process.
Definitions of Disability Categories and Student Eligibility

In order to be eligible for academic adjustments, auxiliary aids, services and/or instruction, a student must have a disability which is verified and which results in an educational limitation. The existence of a disability may be verified by one of the following means:

1. observation by certificated disability-services staff member;

2. assessment by certificated disability-services staff member;

3. review of documentation by certificated staff provided by appropriate agencies or certified or licensed professional outside of the disability services office.

For students requesting services for a learning disability, the DSPS staff will evaluate previous documentation and can provide learning disability assessments in compliance with the guidelines for learning disability testing provided by the California Community College Chancellor’s Office.

The certification of a disability by DSPS is binding upon the District. The DSPS professional staff possesses the necessary education and training, as prescribed by the Chancellor’s Office, to make these decisions. All evaluation of documentation related to a disability will be done by DSPS. Should a student present or offer such documentation to a faculty member, staff, or administrator, that individual should refer the student and documentation to the DSPS Office. Students requesting DSPS services for the first time must complete a program application. Although federal law specifies that a student does not have to register with the DSPS Office, the evaluation of documentation must be done by DSPS. DSPS adheres to a strict code of confidentiality pertaining to documentation and will not release information without first obtaining written consent from the student.

There are eight ten categories of disabilities. Specific definitions can be found in Title 5, Section IIIA, Articles 56032-42.

1. Deaf and Hard of Hearing (DHH) – Total or partial loss of hearing function that limits the student’s ability to access the educational process.

2. Acquired Brain Injury (ABI) – A deficit in brain functioning which results in a total or partial loss of cognitive, communicative, motor, psycho-social, and/or sensory-perceptual abilities, and limits the student’s ability to access the educational process.

3. Intellectual Disability (ID) - Significant limitations both in intellectual functioning and in adaptive behavior that affect and limit the student’s ability to access the educational process.

4. Learning Disability (LD) - Learning disability is defined 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 students’ ability to access the educational process. To be categorized as learning disabled a student must meet the following criteria through psycho-educational assessment verified by a qualified specialist certified to assess learning disabilities:

- Average to above average intellectual ability
- Statistically significant processing deficit(s)

And/or
- Statistically significant aptitude-achievement discrepancy(ies)

5. Physical Disability – A limitation in locomotion or motor functions. These limitations are the result of specific impacts to the body’s muscular-skeletal or nervous systems, and limit the student’s ability to access the educational process.

6. Blind and Low Vision – A level of vision that limits the student’s ability to access the educational process.

7. Mental Health Disability – A persistent psychological or psychiatric disability, or emotional or mental illness that limits the students’ ability to access the educational process.

8. Attention Deficit Hyperactivity Disorder – 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.

9. Autism Spectrum Disorders – 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 limitations in social, academic, occupational, or other important areas of current functioning.

10. Other Health Conditions and Disabilities – Other health conditions and/or disabilities that affect a major life activity, which are otherwise not defined above, but which limit the student’s ability to access the educational process.

Support Services and Instruction

Support services that are available through the DSPS Counselors and LD Specialists include:

- registration assistance
- disability related counseling
- career and personal counseling
- evaluation of documentation to verify disability and determination of educational limitations
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- determination of specific impact of disability on student's ability to access the education process each semester
- authorization of academic adjustments, auxiliary aids, services, and/or instruction
- coordination and referral to campus and community resources
- advocacy related to disability
- general education related to disabilities and their impact
- provision of learning strategies training
- orientation workshops
- screening and evaluation for learning disability

Academic adjustments that are directly related to classroom instruction are coordinated through the DSPS Learning Services Office (LSO). Academic adjustments are made following an individualized review by a DSPS Counselor. If a DSPS counselor is unavailable, the DSPS Director or designee shall make interim decisions pending a final resolution so that academic accommodations adjustments are made in a timely manner. Examples of academic accommodations adjustments include but are not limited to:

- use of auxiliary aids
- scribes
- note providers
- specialized academic coaching
- American Sign Language interpreters
- real-time captioning
- recorded lectures
- proctored course examinations involving the use of academic adjustments

Academic adjustments that are categorized as using assistive technology are processed through the Assistive Technology Lab (ATL). Examples include:

- converting textbooks to an audio format
- converting printed text into Braille
- provision of text to voice technology
- provision of voice to text technology
- adapted computers
- assistive technology and software
- creating raised line course material for students with blindness or low vision
- provision of computer screen reading technology for students with blindness or low vision
- provision of enlarged course material
- arranging for special chairs, tables, and ergonomic devices to be in classrooms for students with back and neck injuries or conditions such as cerebral palsy

Additional academic adjustments include:
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- Specialized orientation to environmental/physical aspects of the district facilities
- College-wide transportation services that are accessible
- Access to and participation in co-curricular activities that are required as a part of a class

Instruction

DSPS offers educational assistance classes which are coordinated through the Science, Language Arts, and Math Instructional Division. These classes produce revenue in the same manner as other general college classes, are approved through the normal curriculum review process, and are designed to enable students with disabilities to compensate for educational limitations and/or acquire the skills necessary to complete their educational objective. Educational assistance classes are taught by specially trained instructors who hold the appropriate DSPS minimum qualifications as specified in the Minimum Qualifications for Faculty and Administrators in California and Community Colleges, and utilize curriculum, material, and instructional methods specifically designed to address the educational limitations of students with disabilities.

Educational assistance classes utilize student/instructor ratios determined to be appropriate by the District given the educational limitations of the students with disabilities enrolled in each class. Class size should not be so large as to impede measurable progress or to endanger the well-being and safety of students or staff.

Special Educational assistance courses offered through DSPS are subject to Title 5 policies regarding course repeatability.

Student Rights and Responsibilities

Student Rights:

- Participation in the services provided by DSPS is entirely voluntary.
- Receiving academic adjustments, auxiliary aids, services, and/or instruction through DSPS shall not preclude the student from also participating in any other course, program or activity offered by Shasta College
- Students have the right to participate in an academic environment free of disability harassment or discrimination.
- All records maintained by DSPS personnel pertaining to students with disabilities shall be protected from disclosure and shall be subject to all other requirements for handling of student records as provided in Title 5.

Student Responsibilities:

Students receiving academic adjustments, auxiliary aids, services and/or instruction through DSPS shall:
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- Provide DSPS with the necessary information, documentation and/or forms (medical, educational etc.) to verify their eligibility.
- Comply with the Student Code of Conduct adopted by Shasta College as provided in the college catalog.
- Be responsible in their use of DSPS services and adhere to written policies adopted by Shasta College and DSPS.
- Whether enrolled in educational assistance classes or general college classes, make measurable progress toward the goals established in the student’s Academic Accommodation Plan and meet the academic standards established by the college as applied to all students.

Failure to comply with these standards may result in suspension or termination of DSPS services.

Academic Accommodation Plans

An Academic Accommodation Plan (AAP) will be generated and maintained as a record of the interactive process between each DSPS student and a DSPS certificated staff member regarding the academic adjustments, auxiliary aids, services, and/or instruction necessary to provide the student equal access to the educational process, given the educational limitations resulting from the student’s disabilities. When enrolled in educational assistance classes, the AAP shall define measurable progress toward the goals of each class.

Course Substitution and Waivers

In the infrequent event that a DSPS counselor has determined that a student is unable to meet the specific requirements of a general education course or graduation competency due to the unique impact of a disability, a petition for course substitution or waiver will be presented to the Scholastic Standards Committee for consideration.

Consideration of a course substitution or waiver is based on the following:

- Student has provided documentation from the DSPS office of a specific disability that directly affects the student’s ability to complete the course requirements.
- Course in question is a general education requirement or graduation competency; it is not a part of their major requirement.
- Student has attempted the course in question, meeting section requirements for attendance and submission of assignments.
- Student utilized all authorized academic adjustments, auxiliary aids, and services as documented on the Course Substitution/Waiver Request form.

The DSPS counselor will consult with an instructor in the student’s area of study or major and with an instructor in the content area for the course in question, and will then determine which course is requested as a substitute for the course in question. This substitution applies only to
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the degree or certificate earned at Shasta College; it may not necessarily carry over into a transfer institution.

If the disability is of such severity that the student is highly unlikely to pass the course with any of the academic adjustments the institution can identify, a course substitution can be authorized without requiring the student to attempt the course.

If the disability is of such severity that the student is not able to successfully complete the course substitution, a course waiver can be approved. Consideration for a course waiver must include the criteria above, along with documentation to substantiate the claim that the student is unable to successfully complete a substitute course.

Staffing

Employees in all areas of DSPS will be qualified professionals who are responsive to the needs of students with disabilities. The director will be responsible for day-to-day operation of DSPS. Professional staff will include counselors and instructional faculty who along with the director meet the standards for employment in DSPS as outlined in Title 5, the California Educational Code, and Chancellor’s Office Learning Eligibility Model. Clerical and other support staff will be knowledgeable about the needs of students with disabilities and provide timely and effective services in a manner that is respectful and empowering to students.

Opportunities for professional training and development will be offered on an ongoing basis, especially through internet-based collaborative settings and through training opportunities sponsored through the community college system.

Advisory Committee

DSPS will maintain a community advisory committee to provide advocacy, responsible advisement, and recommendations regarding programs and services to students with disabilities.

Membership will be comprised of professional representatives of community agencies and programs that provide services to people with disabilities, business and employer representatives, students of Shasta College who receive services through the DSPS, local K-12 educators, and members of the Shasta College instructional faculty. DSPS staff members will attend advisory committee meetings only to provide information and explanation. Meetings will be held at least once a year, preferably once a semester.

Use of Service Animals

The following procedures support Board Policy 5140 and apply to students, faculty, staff and members of the community who use any Shasta-Tehama-Trinity Joint Community District property or facility. Title III (4.2300) of the Americans with Disabilities Act (ADA) states “a public accommodation must modify its policies to permit the use of a service animal by an individual
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What is a Service Animal?

A service animal is defined in Title III of the ADA as:

- Dogs (or miniature horses in certain circumstances) that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties.

If an animal meets this definition it is considered to be a service animal as defined in the ADA regardless of whether or not it has been licensed or certified by a state or local government or by a private agency. Service animals must be permitted to accompany a person with a disability everywhere at a District facility. If there is a question about whether an animal is a service animal, the DSPS Director or ADA Coordinator will resolve the question after consulting with the student.

Responsibilities of Persons Using Service Animals:

1. The handler must sign a statement of responsibility that verifies use of a service animal as for the handler's disability-related limitations. The student can either submit this documentation to the DSPS office or a designated College official who may elect to forward the information to the DSPS office. DSPS will provide students with a card verifying that the service animal is authorized to be on campus.
2. Dogs must be licensed in accordance with county regulations and wear a current and valid vaccination tag. Other types of animals must have vaccinations appropriate for that type of animal.
3. Animals must be on a leash at all times.
4. The handler must clean up after the service animal.
5. The handler must be in full control of the animal at all times.
6. Disruptive or aggressive animals may be asked to leave Shasta College facilities. If the improper behavior happens repeatedly, the handler may be told not to bring the animal into any facility until the handler takes significant steps to mitigate the behavior. This mitigation may include muzzling a barking dog or refresher training for animal and handler. Failure by the handler to abide by these responsibilities may lead to the dismissal of the animal and subject the handler to College discipline.

What is a therapy animal?

A therapy (also known as emotional support or comfort) animal is one that provides emotional or psychological support to an individual, functioning as a therapy tool. A therapy animal may be an integral part of therapy treatment. The therapy animal does not accompany a person with a
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Disability all the time. Laws protecting service animals do not cover therapy animals, and therefore therapy animals are permitted only in the residence halls in compliance with Fair Housing Laws.

Suspension or Termination of DSPS Services

Students may have DSPS services suspended or terminated for the following reasons:

1. Student abuses, misuses or fails to return DSPS loaned equipment
2. Student abuses or misuses DSPS services as outlined in the program’s written policies and the DSPS Academic Accommodation Plan
3. Student is not making progress on his/her Student Education Plan and/or Academic Accommodation Plan.

Written notification of an impending suspension of DSPS services will be sent to the student, by certified U.S. mail, at least five (5) school days before the suspension is to take effect. The written notice will identify the cause of the suspension, the effective date of the suspension and the duration of the suspension. The written notice will inform the student as to how and to whom an appeal of the suspension of DSPS service may be made.

Students who have had a service or services suspended or terminated have the right to appeal this decision using the Disability-Related Student Grievance procedures listed below. Students who have grievances about issues not directly related to their disability should follow the general procedure for Student Grievances (AP 5425).

Resolution of Disagreements related to DSPS Services

Students with disabilities have the right to appeal any decision regarding academic adjustment, auxiliary aids, services, and instruction provided by the Shasta-Tehama-Trinity Joint Community College District. This may include perceived denials of academic adjustments or auxiliary aids, suspension of services, or other decisions regarding academic adjustments and use of auxiliary aids. An individual has the right to file a formal written complaint at any time under AP 3430, based on unlawful discrimination, including disability discrimination or harassment. Authorized accommodations academic adjustments should be delivered during the appeal process.

Grievances generally relate to specific areas of concern:

- Grievance with DSPS for not authorizing a requested accommodation academic adjustment, auxiliary aid, service and/or instruction. (1st level)
- Grievance with DSPS for not providing an authorized accommodation academic adjustment, auxiliary aid, service and/or instruction (1st level)
- Grievance with DSPS for suspension of services (2nd level)
- Grievance with another faculty/staff/administrator (non-DGPS employee) for not complying with an authorized academic adjustment (1st level)
- Allegation of disability harassment or discrimination (AP 3430 – Prohibition of Unlawful Discrimination or Harassment)
FIRST LEVEL – Informal Grievance:

Students with a grievance against DSPS for not authorizing an academic adjustment, auxiliary aid, service and/or instruction or not providing an academic adjustment, auxiliary aid, service and/or instruction as authorized should first attempt to resolve the matter by means of an informal meeting with the person(s) against whom the student has the grievance, generally the counselor, LD specialist, or staff member responsible for providing the academic adjustment, auxiliary aid, service and/or instruction. This discussion should be timely, optimally within ten (10) school days of the alleged incident.

Students who believe an authorized academic adjustment, auxiliary aid, service and/or instruction is being denied or ignored by a district employee such as an instructor or other employee should first attempt to resolve the matter by means of an informal meeting with the person who the student believes is not complying with the academic adjustment, auxiliary aid, service and/or instruction. This discussion should be timely, optimally within ten (10) school days of the alleged denial.

SECOND LEVEL – Informal Grievance:

Students who are dissatisfied with the outcome of their meeting with either the DSPS staff member or another district faculty/staff/administrator can schedule an appointment with the Director of DSPS. Students should bring their referral for academic adjustment, auxiliary aid, service and/or instruction along with the relevant information about dates of requests, services not received, and responses to their previous inquiries. Students should address these concerns to the Director of DSPS within ten (10) school days of the first level meeting:

Director, Disabled Students Programs and Services
Shasta-Tehama-Trinity Joint Community College District
P.O. Box 496006
Redding, CA 96049-6006
(530) 242-7799 (voice)

The Director may conduct an informal inquiry with various parties involved in the alleged incident and inform students verbally of the resolution. The Director should communicate this resolution to the student within ten (10) school days of the second level grievance meeting.

THIRD LEVEL – Informal Grievance:

If the grievance cannot be resolved at the second level within ten (10) school days, students should contact the Vice President of Student Services. The Vice President will review the grievance with Director of DSPS and attempt to resolve the grievance informally. This discussion must take place within ten (10) school days after contact at the second level. The Vice President of Student Services should respond to the student’s grievance within ten (10) school days.
FOURTH LEVEL – Formal Grievance:

If the grievance cannot be resolved informally at the third level, the student will be asked to state the grievance in writing within ten (10) school days. This written statement should be directed to the Vice President of Student Services at the address listed above.

The Vice President will review the report of the findings issued by the Director of DSPS and conduct any further inquiry or interview as deemed appropriate, and provide a written decision within ten (10) school days of receiving the written appeal.

FIFTH LEVEL – Formal Grievance:

If the grievance cannot be resolved at the fourth level within ten (10) school days, the grievant may seek a review with the college Superintendent/President. A copy of the stated grievance and all written documentation of findings will be submitted to the Superintendent/President for review. The Superintendent/President shall have ten (10) school days to render a written decision.

Anyone who believes that an education institution that receives federal financial assistance has discriminated against someone on the basis of race, color, national origin, sex, disability or age can file a complaint with the U.S. Department of Education Office of Civil Rights (OCR). According to OCR, a complaint must be filed within 180 calendar days of the date of the alleged discrimination, unless the time for filing is extended by OCR for good cause.

Additionally, according to OCR, if a grievance is filed through the institutional process of the district and then filed with OCR, the complaint must be filed with OCR within 60 days after the last act of the institutional grievance process.

Office for Civil Rights/San Francisco
U.S. Department of Education 50 Beale Street, Suite 7200
San Francisco, CA 94105
Tel: (415) 486-5555
Fax: (415) 486-5570

Board Reviewed 4/13/05
Board Reviewed 2/10/10
Board Reviewed 4/10/13
Board Reviewed [Revised] 05/10/17