

Overview of DRC Procedures for Faculty - *Cañada College*

Agenda:

1. What are Accommodations?
2. Legislative Basis for Disability-Related Accommodations
3. Registration/Intake Process
4. Learning Disability Testing
5. Confidentiality
6. Do's and Don'ts
7. Breakout Groups



1. What is Accessibility?

Accessibility is the **inclusive practice** of designing devices, products, and environments so that users of all abilities can **equally access, navigate, perceive, understand, and interact** with them.



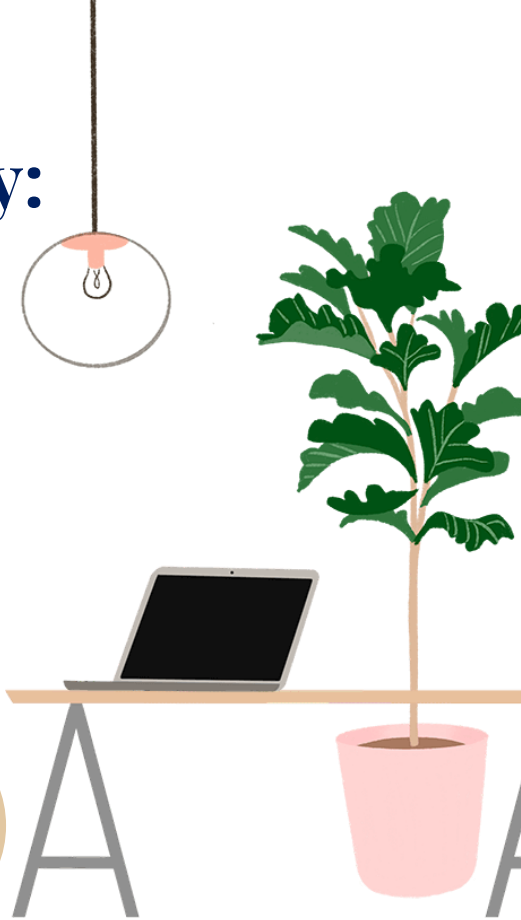
It is about equity, NOT equality.

Use of an accommodation is not reasonable if any of the following apply:

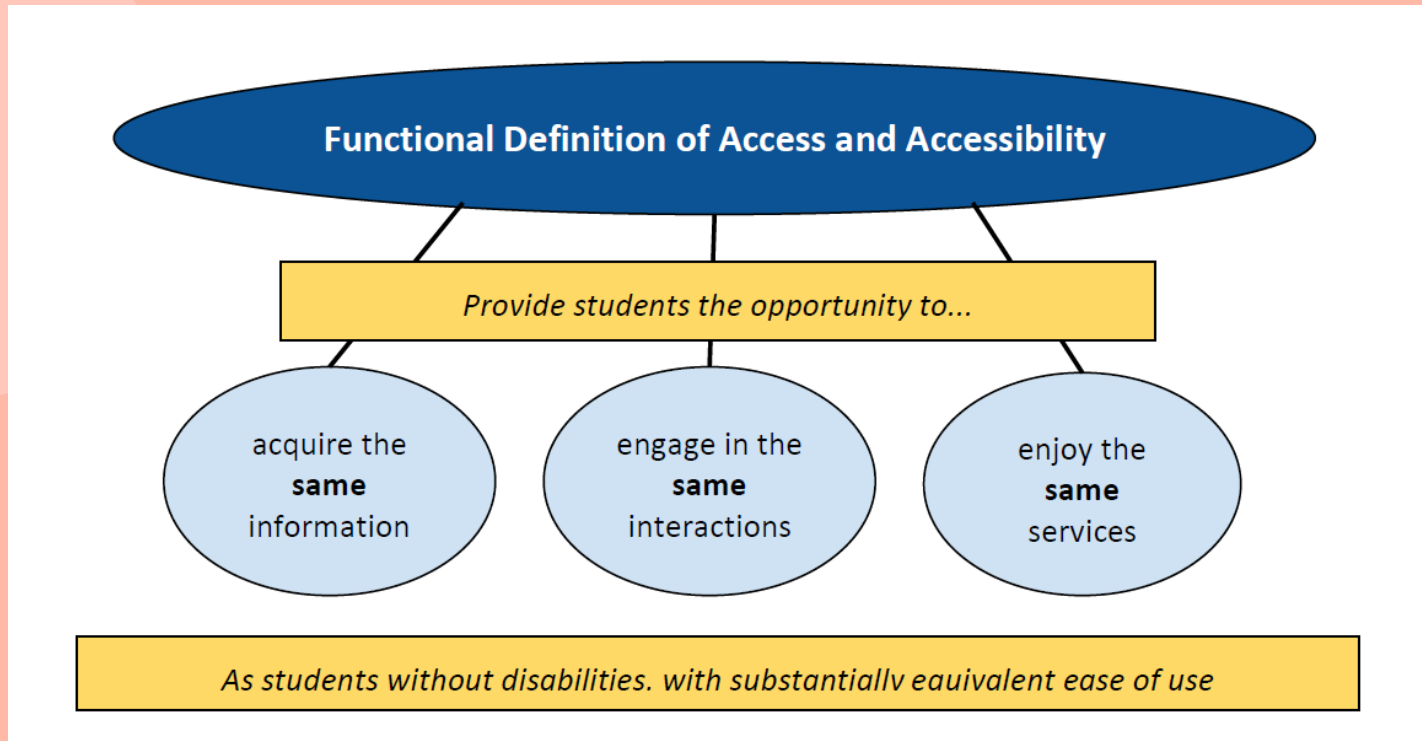
1 It represents a fundamental alteration of the course or program objectives.

2 It poses a direct threat to the health or safety of others.

3 It presents an undue financial or administrative burden.



What makes accommodations “reasonable”?



2. Legislative Basis for Disability-Related Accommodations

The right to request and receive reasonable accommodations and programmatic modifications is a *civil right* extended to people with disabilities under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), as well as California state laws.



Americans with Disabilities Act (ADA)

Title II of the ADA

No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a **public entity**, or be subjected to discrimination by any **public entity**.



Section 504 of the Rehabilitation Act of 1973

Prohibits federal agencies, programs, or activities from discriminating and **requires reasonable accommodations** for qualified individuals with disabilities.

To violate Section 504 means:

- Denying qualified individuals the opportunity to participate in or benefit from federally funded programs, services, or other benefits.
- Denying access to programs, services, benefits or opportunities to participate as a result of physical barriers.
- Denying employment opportunities, including hiring, promotion, training, and fringe benefits, for which they are otherwise entitled or qualified.

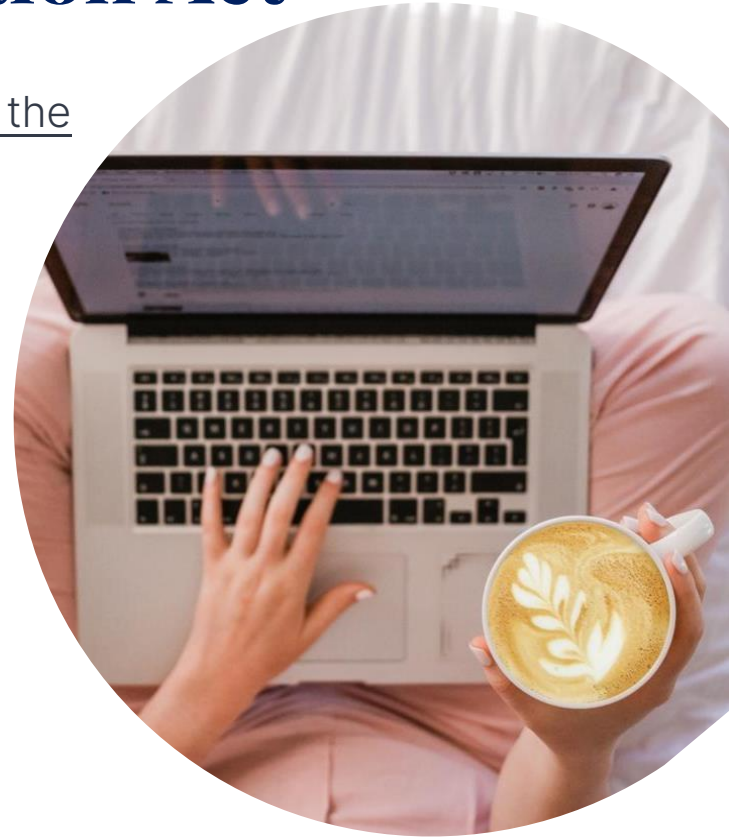


Section 508 of the Rehabilitation Act

Agencies must give disabled employees and members of the public access to information **comparable to the access** available to others.

Purpose of Section 508:

- Eliminates barriers to ICT (Information and Communications Technology)
- Provides equal opportunities to persons with disabilities
- Encourages development of technologies that enable these goals
- Provides standards for how accessibility can be achieved
- Helps prepare for an aging workforce



California Code 7405

(State Digital Accessibility Laws)

- Improve accessibility of existing technology
- Increase the successful employment of individuals with disabilities
- **State governmental entities**, in developing, procuring, maintaining, or using electronic or information technology, either indirectly or through the use of state funds by other entities, **shall comply with the accessibility requirements of Section 508** of the federal Rehabilitation Act of 1973
- Any entity that contracts with a state or local entity subject to **Section 11135**



Web Content Accessibility Guidelines (WCAG): <https://www.w3.org/WAI/standards-guidelines/wcag/>

Who is responsible for providing accommodations?

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Accessibility is the responsibility of the person(s) who create, assign, and publish content.



3. Registration

Must be done separately for each college

Why?

- Legal protection of faculty
- Legal protection of college
- Funding for our colleges

Intake Process

Complete Application

Submit Documentation
of Disability

Request to be tested for
a Learning Disability

Meet with DRC
counselor

Meet with
DRC Director

If found eligible,
placed on waitlist
to be tested and
given temporary
accommodations

If not found
eligible, DRC
will connect
them with
other
resources



It is important to keep in mind that there are many factors that can affect a student's performance.

Not all struggles are due to a disability.

Be familiar with other campus resources to refer students to in addition to the DRC/EAC so that you are not discriminating on the basis of a perceived disability.

- Personal Counseling Center (PCC)
 - The Health Center
 - Learning Center
 - Writing Center
 - Sparkpoint



4. Learning Disability Testing

Assessing for significant processing deficit in one or more areas:

- Working Memory, Visual Processing, Auditory Processing, Processing Speed etc.
 - Difficulties in: reading, writing, or math
 - Different than:
 - ADHD
 - ADD
 - Autism
 - Anxiety

Why We Cannot Test Over Zoom

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- Not similar to the ACT/SAT
- Not Standardize/Normed for remote method
- Difficulty to administer
- Unethical if we change the process now without proper research
- Test Security Issues
- HUGE Equity concerns
- Behavioral observations

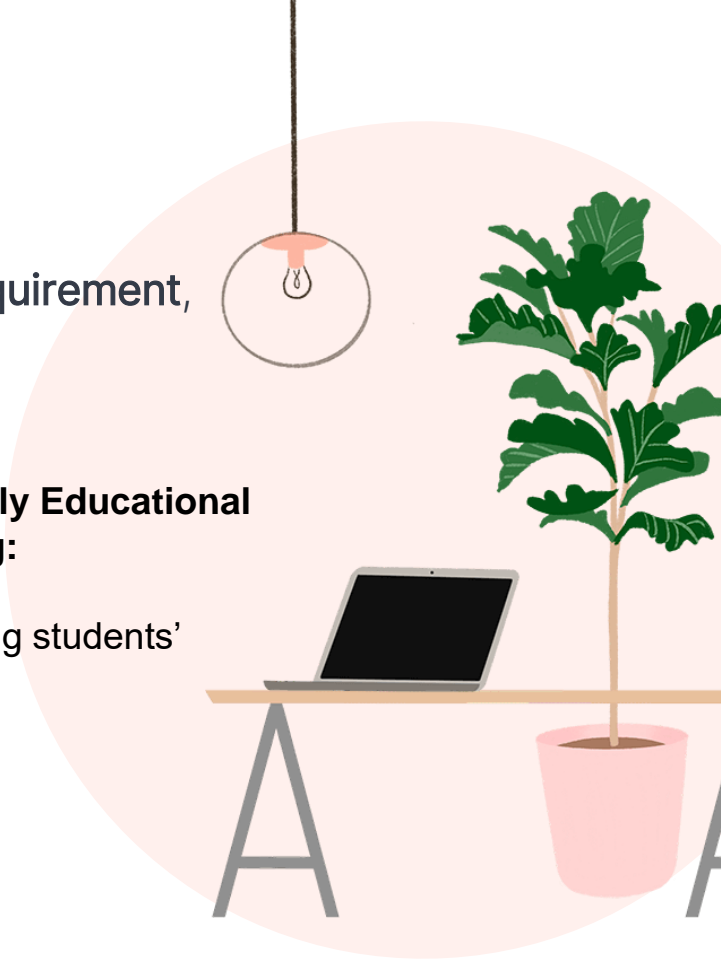


5. Confidentiality

Remember that **disclosing a disability is a choice, not a requirement**, and privacy is a major consideration.

All disability-related information is protected by Family Educational Rights and Privacy Act (FERPA) guidelines, including:

- Disability-related records and documentation, including students' official accommodation memo or letter
- Student's affiliation with the DRC/EAC
- Student's disability status
- Student's accommodations

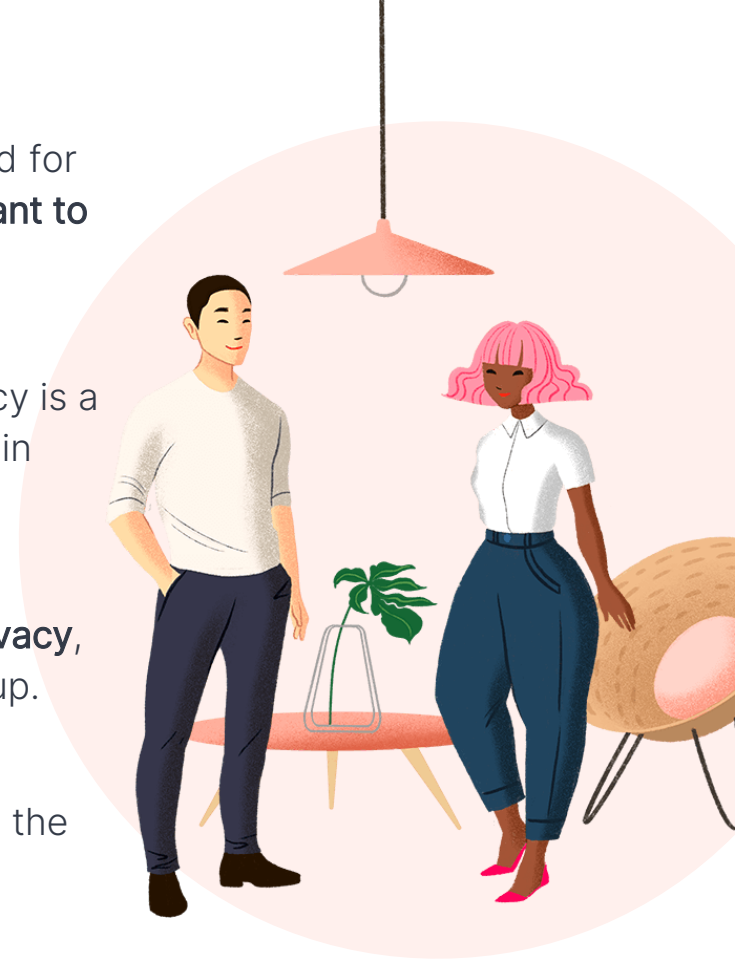


If you decide to approach the student to discuss a possible need for services, please be aware that the student **may either be reluctant to discuss their disability, or have difficulty explaining it to you.**

Privacy and sensitivity are paramount. Since the student's privacy is a concern, we recommend that this type of discussion take place in your office or discreetly before or after class.

Informing a student about the DRC office is not a violation of privacy, as the individual will make the decision as to whether to follow up.

These student conversations can be difficult. So feel free to call the **DRC/EAC to consult** on how to assist the student.



6. Do's and Don'ts

Don't:

It is not appropriate to directly ask if a student has a disability or is experiencing mental health concerns.



However, if a student freely discloses any of the following, a referral to the DRC/EAC or other campus supports may be appropriate:

They are in need of medical absences.

They are having difficulty paying attention in class or taking notes.

They have received academic accommodations in the past.

They are experiencing difficulty with reading or comprehending coursework.

They are the last to finish exams and do not complete them.

They are seeing a therapist yet experience difficulty meeting academic expectations.

They are experiencing difficulty managing the various academic demands of coursework.

They are performing poorly on exams compared to their overall knowledge of the material.



Don't:

Faculty should always **refrain** from providing their own disability-related accommodations for a student.

When instructors provide their own accommodations, they are **disregarding** institutional policies that outline how accommodations are evaluated and communicated, and **ultimately putting themselves and the institution at risk.**



**Educational Access Center
(EAC)**

***Melissa Matthews**



**The Disability Resource
Center (DRC)**

***Carol Newkirk**

College of San Mateo

**Disability Resource
Center (DRC)**

***Dr. B**



Instead, let students know that the process for getting in touch with one of us is not cumbersome.

We can be contacted by email or phone (or text) if you or your students have questions.

Not allowing students to use their accommodation is unlawful, and puts the college and the instructor at risk of legal action.

Don't say unlawful statements like:

- “You don’t need this”
- “I don’t believe in learning disabilities”
- “I’m not going to give you this accommodation”



Instead:

Contact a Disability Counselor to consult if for whatever reason an accommodation cannot be implemented in your class.

Our work is centered upon the following:

- Recognizing and educating the campus on disability as a valued aspect of diversity;
- Ensuring equal and meaningful access to programs through collaboration with students, staff, and faculty;
- Promoting a welcoming and inclusively-designed environments across the district.



We ask that you please practice:

“Grace and Patience”

(Carol Newkirk)





Breakout Rooms