

Whatcom Community College

ACCESS & DISABILITY SERVICES

**PROCESS FOR ACCESSING ACADEMIC
ADJUSTMENTS FOR
STUDENTS WITH DISABILITIES**

237 W. Kellogg Road
Bellingham, WA 98226
360.383.3000
360.255.7182 (VP)

Rev. July 2012

TABLE OF CONTENTS

- I. Notice of Non-Discrimination**
- II. Purpose**
- III. Scope**
- IV. Definitions**
- V. Obligations of the College**
- VI. Obligations and Rights of Students**
- VII. Obligations of Access & Disability Services**
- VIII. Academic Adjustments**
- IX. Requests for Substitution of Program/Degree Requirements**
- X. Documentation of Disability**
- XI. Disability Accommodation Disputes**

PROCESSES FOR STUDENTS WITH DISABILITIES

I. NOTICE OF NON-DISCRIMINATION

Whatcom Community College complies with federal and state laws specifically requiring that the College does not discriminate on the basis of race, color, national origin, religion, sex, disability, honorably discharged veteran or military status, sexual orientation, genetic information or age in its programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies: Director for Human Resources, 237 W. Kellogg Road, Bellingham, WA 98226, 360.383.3400. For Title IX compliance, contact: Vice-President for Educational Services, 237 W. Kellogg Road, Bellingham, WA 98226, 360.383.3070. VP: 360.255-7182. WCC publications are available in alternate formats upon request by contacting the Access & Disability Service office at 360.383.3080; VP 360.255.7182.

Whatcom Community College shall comply with Section 504 of the Rehabilitation Act of 1973 and Section 202 of the Americans with Disabilities Act of 1990, as amended, and State of Washington Laws of 1994. Students may also contact the United States Department of Education Office of Civil Rights, or the Washington State Human Rights Commission.

Washington State Human Rights Commission
1511 Third Avenue
Melbourne Tower, Suite 921
Seattle, WA 98101
Phone: (800) 605-7324
Phone: (800) 233-3247

Office of Civil Rights
915 2nd Ave., Room 3310
Seattle, WA 98174-1099
Phone: (206) 220-7900

II. PURPOSE:

The Access & Disability Services mission values the diversity students with disabilities bring to WCC's campus community. Through intentional programs, services and reasonable accommodations, ADS ensures students with disabilities equal access to Whatcom Community College and encourages the development of independence and self-advocacy skills while supporting the learning experience.

No student shall, on the basis of his or her disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any college program or activity. We cooperate through partnerships with students, faculty, staff, and outside agencies to promote student's independence and to ensure recognition of their abilities, not disabilities, and to maintain compliance with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and State of Washington Laws of 1994, Chapter 105.

Whatcom Community College is committed to providing services to qualified students with disabilities. The purpose of this document is to identify the rights and responsibilities of students under ADA/504 and to establish clear guidelines for seeking and receiving academic adjustments, auxiliary aids, and core services.

To receive academic adjustments students are responsible for providing documentation regarding the nature of their disability, and the functional limitations of their disability. Reasonable accommodations

must be formally requested from the Access & Disability Services office. This procedure establishes the scope of and the process for requesting appropriate accommodations.

III. SCOPE:

Reasonable accommodations under this procedure include, but are not limited to (a) academic adjustments, such as modification of non-essential academic requirements and flexibility in test-taking arrangements; (b) adjustments in non-academic services and other rules; and (c) auxiliary aids and services.

WCC will make those modifications to its academic requirements that (1) are necessary to ensure that those requirements do not discriminate, or have the effect of discriminating, against a qualified student with a disability based on that disability and (2) do not impose an undue hardship on the college or require alteration of essential program requirements.

A. Section 202 of the 1990 Americans with Disabilities Act states:

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

B. Section 504 of the Rehabilitation Act states:

No otherwise qualified individual with a disability in the United States, as defined in Section 7(20) shall, solely by reason of her or his disability, 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 or under any program or activity conducted by any Executive Agency or by the United States Postal Service.

IV. DEFINITIONS:

"Academic adjustments" in college programs and services, are modifications of those programs, policies, practices, and procedures that enable qualified students with a disability to have an equal opportunity to benefit from and have access to college programs and services and the provision of auxiliary aids and services.

"Student" is a person who is enrolled or enrolling at WCC.

"Qualified Student with a Disability" is one who, with or without academic adjustments meets the academic and technical standards required for admission, or participation in the institutions educational programs or activities. Additionally, a "qualified student" is one whose disability continues to manifest functional limitations even with mitigating measures. Students need to qualify each quarter.

"Student with a Disability" is a student who (1) has a physical, mental or sensory impairment that substantially limits one or more of his/her major life activities; (2) has a record of such an impairment or; (3) is perceived to have such an impairment, or a student who has an abnormal condition that is medically cognizable or diagnosable.

"Undue Hardship" is any excessively costly, extensive, substantial or disruptive modification or one that would substantially alter the nature or operation of the institution or any of its programs or services or threaten the health or safety of the college community.

"Program accessibility" means that all programs and services, when viewed in their entirety, are accessible to persons with a disability.

"Core Services" are those services listed in State of Washington Laws RCW 288.10.912 that are necessary to ensure students with disabilities are appropriately accommodated at the college.

"Course Substitution" is the replacement of a specific course required for a degree program with another course that measures comparable learning objectives and skills as the required course.

V. OBLIGATIONS OF THE COLLEGE:

AFFIRMATION OF INCLUSION

WCC is committed to maintaining an environment in which every member of the College community feels welcome to participate in the life of the College, free from harassment and discrimination. We welcome people of all races, ethnicities, national origins, religions, ages, genders, sexual orientations, marital status, veteran status, abilities, and disabilities. Toward that end, faculty, students, and staff will:

- Treat one another with respect and dignity;
- Promote a learning and working community that ensures social justice, understanding, civility, and non-violence in a safe and supportive climate;
- Influence curriculum, teaching strategies, student services and personnel practices that facilitate sensitivity and openness to diverse ideas, people, and cultures in a creative safe and collegial environment.

WCC shall also:

- Make available to all students' information on the services available to students with disabilities, including the name and location of Access & Disability Services (ADS), and the process for accessing those services.
- Work with the student, faculty, and staff on a case-by-case basis, to assist with providing those accommodations and core services appropriate for each qualified student.
- Develop procedures to protect the confidentiality of information regarding the nature and extent of the documented disability.
- Maintain the academic integrity of its programs.
- Not make pre-admission inquiry as to whether the applicant has a disability, except as provided by law.
- Require specific documentation from the student's physician and/or other physicians, or qualified professionals, to clinically verify the disability(s) and to identify specific and/or academic adjustments, which may be appropriate, based on the nature and severity of the disability.

VI. OBLIGATIONS AND RIGHTS OF STUDENTS:

A student who seeks accommodations under this procedure is responsible for documenting the nature and extent of the disability. The college will work collaboratively with the student in determining the appropriate accommodations.

- To ensure that needed accommodations are provided in a timely manner, the students shall provide timely notice and documentation of the nature and extent of the disability, and the accommodations requested, to the Access & Disability Services Office. Requests for accommodations should be received by the college, in writing, by completing the proper ADS forms **prior to the beginning of the quarter** for which the request is made. Some accommodations require time to arrange, lack of advance notice may delay the availability of some accommodations.

General guideline for time needed to arrange and provide accommodations

- Readers / Scribes 1 week
 - Enlarged Print 1 week for pages or chapter, 2 weeks for whole book
 - Interpreter/Speech-to-Text 2 weeks
 - Alternate format Texts 3 to 5 weeks
 - Note Taking Services 1 week
 - Braille Services 3 weeks
 - Furniture (move location) 3 days
 - Adaptive Equipment 1 quarter if purchasing is needed
- Provide additional documentation on the nature and extent of their disability as the college requires for determining reasonable accommodations. Such documentation may include, but is not limited to, identification of tests administered, test results including scores and subset scores, description of the covered disability, and recommended accommodations.
 - Cooperate with ADS to develop appropriate educational plans and academic adjustments.
 - Promptly notify ADS of any problems encountered in receiving the agreed-upon accommodations.
 - Maintain satisfactory academic progress. All students are subject to the Academic Standards of Progress Policy outlined in the Whatcom Community College Catalog.

VII. OBLIGATIONS OF ACCESS & DISABILITY SERVICES:

- The ADS office is responsible for the coordination of services to qualified students with disabilities requiring academic adjustments.
- The ADS office is committed to a reasonable approach in the identification of students with disabilities, including contacting students who self-identify during the college admission or orientation process.
- All documentation is strictly confidential. In the interest of coordinating services, a consent form is signed by the student at intake which allows WCC to coordinate services upon request.
- The ADS office will assist and advise each qualified student with a disability under this policy in developing an educational plan, identifying those academic adjustments appropriate for the student, and ensuring that the agreed-upon accommodations are provided.

VIII. ACADEMIC ADJUSTMENTS:

The process of selecting academic adjustments for each qualified student with a disability shall be made on a case-by-case basis, appropriate to the nature and extent of the student's disability.

Many college courses have assessment/placement, prerequisite, or recommended course requirements prior to enrollment. These prerequisites are based upon the mastery of essential skills and knowledge required for success in the course or program. Approval of reasonable accommodation requests require that the identified assessment/placement, recommended course, and prerequisites are met. Essential requirements for programs, degrees, or a Washington State proficiency requirement will not be waived.

Whatcom Community College is committed to providing comprehensive resources to assist students in developing basic reading, writing, math, and study skills and thus will not waive these basic proficiency requirements. Adult Basic Education (ABE), English as a Second Language (ESL) and developmental education programs provide students with assistance in preparing for college-level academic skills. Washington State regulations allow students to repeat any course, including basic skills courses, a maximum of three quarters.

Unlike elementary and secondary schools, colleges and universities are *not* required to design special academic programs for students with disabilities. Therefore, ABE classes are open to adults who can participate appropriately in groups and learn from others. They must be able to recall and restate information and read and use simple materials. Individuals must be able to write with limited proficiency, complete personal information on forms, copy text, write in simple sentences, and add, subtract, multiply and divide whole numbers. The above activities may require accommodations which are determined on a case-by-case basis.

A. Academic Accommodations

Academic modifications may include, but are not limited to:

- Flexibility in timelines for completion of courses, certificate, and degree requirements;
- Flexibility in receiving notes or note-taking services;
- Flexibility in test-taking arrangements;
- Substitution of specific courses required for the completion of degrees, when appropriate.

Under the ADA, the College is not required to alter the fundamental nature of a program to accommodate a student with disabilities. The *Process for Course Substitution* is available from the ADS Office, the Admissions/Registration Office, or the Entry/Advising Office.

B. Auxiliary Aids and Services

Auxiliary Aids and Services may include, but are not limited to:

- Flexible procedures in the admissions process (early registration or priority registration);
- Qualified sign language, oral and tactile interpreters;
- Typewell text interpreting, or other speech-to-text transcription services;
- Access to adaptive equipment including, but not limited to, videophone, FM systems, closed caption devices, closed circuit televisions, low-vision reading aids;
- Textbooks and other educational materials in alternative media, including, but not limited to large print, Braille and digital format;

- Provision of readers, note-takers, and scribes;
- Release of syllabi, study guides, and other appropriate instructor-produced materials (when available) in advance of general distribution and access beyond the regular classroom session to slides, films, overheads, and other media, and recording of lectures.

C. Access

Ongoing review and coordination of efforts to ensure campus accessibility, including barrier-free design, signage, identification of hazards of mobility barriers, maintenance of access during construction, snow and ice clearance, and adequate disability parking.

Facilitating physical access to programs and services including relocating classes, activities, and services to accessible facilities when possible.

Referral to appropriate on-campus and off-campus resources, services and agencies.

Accessibility to counseling, academic advising and scheduling.

D. Interpreters/Transcribers as an Accommodation

WCC will always make a good faith effort to provide qualified sign language, oral and/or tactile interpreters and speech-to-text transcribers to students qualifying for these services. In the event of an interpreter/transcriber shortage, while actively searching for qualified providers, WCC may need to prioritize services based on alternative class times available, critical course for degree or graduation, and date of request.

In the event an interpreter/transcriber is not available, other effective auxiliary aids will be set in place. This may include the coordination of appropriate services but is not limited to: interpreters, transcription or captioning services, note takers, and/or additional assistance from instructors.

If a student utilizing interpreting/transcribing services regularly misses class(es) without informing the ADS office, services will be temporarily suspended until the student meets with the ADS Associate Director. At that time student responsibilities will be reviewed and services will be reinstated. This does not apply to absences due to “good cause” or emergency situations.

IX. Requests for Substitution of Program/Degree Requirements

Certain disabilities may preclude a student from successfully completing a specific course requirement for a degree, even with appropriate accommodation. In those cases, the college will consider course substitutions when they do not compromise the integrity of the academic program or are not a State proficiency requirement. Under the Americans with Disabilities Act, the college is not required to waive or substitute essential requirements of a student’s program of instruction. Therefore, every student enrolled in a degree program must meet the essential requirements of that program or degree. In the case of substitution requests, the substitution must not weaken the curriculum, but rather expand the opportunities available.

Altered methods of course delivery and/or the use of accommodation will enable most students with a disability to successfully complete course requirements, except in unusual circumstances. Therefore, the student is encouraged to attempt successful completion of the required course and prerequisites with

accommodation. Course substitution may be requested using the following process or guidelines:

Course Substitutions for Students with Disabilities Guidelines

- Unlike elementary and secondary schools, colleges and universities are **not** required to design special academic programs for students with disabilities. WCC will not waive degree requirements.
- Whatcom Community College may grant conditional course substitutions for degree or certificate requirements to a qualified student with a disability. Course substitutions will be approved only when such substitution is consistent with the essential degree requirements.
- Requests for substitution for a required course shall be considered only when a qualified student with a disability has demonstrated that, even with academic adjustments and auxiliary aids/services provided by the college, he or she is unable to successfully complete the course solely because of his/her disability. Students need to legitimately attempt to pass classes more than once.
- All requests for course substitution shall be submitted in a timely manner and shall include the following information:
 - A description of the accommodations previously provided to the student for the course.
 - An explanation of the relationship of the student's disability to the lack of success in completing the course.
 - The proposed substitute course, if known.
 - A statement by the student that he/she has made a good faith effort to complete the required course with appropriate accommodations.
 - A statement from a medical, psychological, or learning disabilities specialist who works in the field of the disability which makes this request for substitution necessary.

X. DOCUMENTATION OF DISABILITY:

A. Documentation to verify eligibility

Students who are seeking support services from Whatcom Community College on the basis of a diagnosed disability may be required to submit documentation to verify eligibility (See below for guideline criteria for documentation of specific learning disability). Documentation of a condition must originate from a licensed physician, although the information may be obtained through third party sources, such as school or vocational rehabilitation, or other agencies. Additional information may be necessary from other physicians or from other health care providers, such as but not limited to: physical therapists, occupational therapists, psychologists, audiologists, speech pathologists, and other trained providers. Certain disabilities, which are obvious in nature, may not necessitate the need for documentation other than the acknowledgment by the ADS Associate Director. This information shall be kept in a confidential file in the ADS office and will only be used to develop appropriate academic accommodations and adjustments and in supporting a student's progress at WCC. The responsibility and any cost for providing this medical documentation shall be paid by the student.

B. Temporary Disability

A temporary disability, which may cause interference in a student's ability to participate in programs, services and activities for an extended period of time, will be treated on an individual basis and the policy for disability documentation will apply the same, however the information will need to be very current in order to support the need for accommodation or adjustments.

C. Documentation of Learning Disabilities

A specific learning disability is a neurological impairment which affects the manner in which individuals take in information, retain it, and express their knowledge and understandings. While individuals may learn to compensate for this impairment, it is permanent. By definition, only individuals with average or above average intelligence are diagnosed with learning disabilities. Learning disabilities do not include poor academic background, emotional disturbance, lack of motivation, visual or auditory acuity problems, or developmental delays.

Students who are seeking support services from Whatcom Community College on the basis of a diagnosed learning disability are required to submit documentation to verify eligibility. Documentation of a learning disability consists of the provision of professional testing and an evaluation with report, which reflects the individual's present level of information processing as well as achievement level. The cost and responsibility for providing this professional assessment shall be paid by the student.

The following guidelines are provided in the interest of assuring that evaluation reports are appropriate to document eligibility. Information obtained will remain in a private confidential file in the ADS office. The Associate Director of Access & Disability Services is available to consult with diagnosticians regarding any of these guidelines. The documentation must:

- Be prepared by a professional qualified to diagnose learning disability, which would include but not be limited to: a licensed neuropsychologist or psychologist, learning disability specialist, or other appropriate professional certified to administer and interpret class C psychological tests. Experience in working with an adult evaluation is *essential*.
- Be comprehensive. One test is not acceptable for the purpose of diagnosis. Minimally, areas to be addressed must include but not be limited to:
 - *Aptitude*. The Wechsler Adult Intelligence Scale-Revised (WAIS-R) or WISC-III with subtest scores is preferred. The Woodcock-Johnson Psycho-Educational Battery-Revised: Tests of Cognitive Ability is acceptable. The Leiter International Performance Scale or The Test of Nonverbal Intelligence may be acceptable when cultural bias or hearing loss is a concern. The *Slossom Intelligence Test - Revised* and the *Kaufman Brief Intelligence Test* are primarily screening devices which are not comprehensive enough to be suitable.
 - *Achievement*. Current levels of functioning in reading, mathematics and written languages are required. Acceptable instruments include the Woodcock-Johnson Psychoeducational Battery-Revised: Tests of Achievement; Stanford Test of Academic Skills (TASK); or specific achievement tests such as the Test of Written Language-2 (TOWL-2), Woodcock Reading Mastery Tests-Revised, or the Stanford Diagnostic Mathematics Test. (*The Wide Range Achievement Test Revised is NOT a comprehensive measure of achievement and therefore is not suitable.*)
 - *Information Processing*. Specific areas of information processing (e.g., short and long term memory; sequential memory; auditory and visual perception/processing; processing speed) must be assessed. Use of subtests from the WAIS-R or the Woodcock- Johnson Tests of Cognitive Ability is acceptable. This is not intended to be an exhaustive list or to restrict assessment in other pertinent areas.

- Be *current*. In most cases, within the past three years. Since assessment constitutes the basis for determining academic adjustments, it is in the student’s best interest to provide recent and appropriate documentation to serve as the basis for decision-making about a student’s needs for accommodations in an academically competitive environment.
- Provide a specific diagnosis based on *clear and specific* evidence, which identifies specific learning disability and reflects the individual’s present level of functioning in processing and intelligence, as well as achievement in written expression, writing mechanics and vocabulary, grammar and spelling, reading comprehension and rate. Direct language in the diagnosis is preferred, avoiding the use of terms such as “suggests” or “is indicative of.” Individual “learning styles”, “learning differences”, or “learning difficulties”, in and of themselves do not specify learning disabilities.
- Include in the report, the exact instruments used and procedures followed to assess the learning disability, test score data, a written interpretation of the results by the professional doing the evaluation, the name of the evaluator and date(s) of testing.
- Provide sufficient data to support the request for the particular academic adjustment requested. Requests which are not supported by documentation may not be provided without additional adequate verification.

D. Service Animals on Campus

In accordance with the Americans with Disabilities Act (ADA), service animals are permitted in college facilities. Service animals are animals trained to assist people with disabilities in the activities of daily living. The ADA definition of service animals is:

“...any animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.” Pets are **not** included.

Definitions

“Owner/Handler” is a person with a service animal.

“Service Animal” is any dog individually and specifically trained to do work or perform tasks for the benefit of an individual with a disability. Service animals are usually certain breeds of dogs; however, in some cases properly trained miniature horses may be used. Barnyard animals are not service animals.

“Pet” is a domestic animal kept for pleasure or companionship. Pets are not permitted in college facilities or campus grounds.

Requirements of Services Animals and Their Owners/Handlers

- The owner/handler must be in full control of the animal at all times. The care and supervision of a service animal is solely the responsibility of its owner/handler.
- The animal must be on a leash at all times. A “leash” means a cord, rope, thong, or chain not more than eight feet in length by which the animal is controlled by the person handling it.
- Dogs four months or older shall be vaccinated against rabies; all license tags issued shall be securely fastened to a collar or other like harness which shall be worn by the animal at all times when on college facilities and any college sponsored activity off campus, such as field trips.

Responsibilities for Faculty, Staff, and Students:

- Allow a service animal to accompany the owner/handler on campus, except where service animals are specifically prohibited.
- Do not feed, pet, or deliberately startle a service animal.
- Do not separate or attempt to separate a handler from his or her animal.

An Owner/Handler May Be Asked to Remove an Animal because of:

- An owner/handler may be asked to remove an animal from college facilities that is unruly or disruptive. If improper behavior occurs repeatedly, the owner/handler may be told not to bring the animal into any college facility until the owner/handler has taken steps to mitigate the behavior.
- Service animals that are ill should not be taken into public areas. An owner/handler with an ill animal may be asked to leave college facilities.

XI. DISABILITY ACCOMMODATION DISPUTES:

A. Denial of Academic Adjustments by Access & Disability Services

If ADS does not provide, or refuses to provide requested accommodations, the student must first contact the ADS Associate Director to try to resolve the situation.

If after consulting with the ADS Associate Director, a student believes that ADS Office has not identified or provided reasonable academic adjustments or auxiliary aids, the student may petition for a review of the ADS Associate Director's decision by the Vice-President for Educational Services. The petition should contain factual statements concerning the nature of the student's disability, requested academic adjustment or accommodation, and documentation supporting the need for the accommodation. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available upon request for persons with disabilities.

The Vice-President for Educational Services will review the student's request and the facts or appoint a fact-finding team to review the complaint and attempt to resolve the situation. The Vice-President will respond within fifteen (15) working days. The decision of the Vice-President is final.

B. For Situations in Which a Faculty Member Denies ADS Approved Accommodation(s)

If a student believes that the instructor has not provided reasonable academic adjustments or auxiliary aids approved by ADS, the student may seek review of the instructor's actions with the instructor and the ADS Associate Director.

If resolution is not reached by the student and instructor, the student would follow the Washington Administrative Code (WAC) number 3010 Chapter 132U-120-260. Copies of the *Student Complaint Process* are located in the Entry and Advising Center and at numerous other administrative offices on campus.

IMPORTANT NOTE: The *Student Complaint Process* is also available on the website at this link: [Student Complaint Process](#) which is located on the WCC website on the [Complaints Procedures](#) webpage.

C. General Disability Discrimination Complaints

For general disability discrimination complaints students should follow the Complaints—Discrimination (Chapter 132U-300 WAC) number 4020. Copies of this form are located in the Human Resources Office and the Entry and Advising Center. It is also available on the [Complaints Procedures](#) website at this link: [Discrimination Complaints](#).

Notice of Non-Discrimination

Whatcom Community College complies with federal and state laws specifically requiring that the College does not discriminate on the basis of race, color, national origin, religion, sex, disability, honorably discharged veteran or military status, sexual orientation, genetic information or age in its programs and activities. The following persons have been designated to handle inquires regarding the non-discrimination policies:

For Discrimination Complaints, contact:

Director of Human Resources
237 West Kellogg Road
Bellingham, WA 98226
360.383.3400

For Title IX compliance, contact:

Vice-President for Educational Services
237 West Kellogg Road
Bellingham, WA 98226
360.383.3070

This procedure does not provide rights or obligations not provided by applicable laws. Note that this is a dispute resolution process, designed to resolve disagreements over what is an appropriate accommodation and avoid to formal discrimination/grievance claims.

All publications are available in alternative format upon request.