Disability and Educational Support Program

Student Handbook
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DESP: Student Handbook

Please contact the DESP office at (408) 741-2010 to obtain a large print or Braille version of this handbook.

Introduction

The Disability and Educational Support Program was established in 1973 to provide support services, special instruction, counseling, assessments, and educational accommodations to adult students with disabilities. The Program currently serves over 700 students each year. The information and policies set forth in this handbook are meant to clarify the roles and responsibilities of both the Disability and Educational Support Program and of the students who take advantage of the services offered.

Mission Statement

The primary purpose of the Disability and Educational Support Program (DESP) at West Valley College is to integrate all students with disabilities into classes and programs with their fellow students consistent with the Rehabilitation Act of 1973, California Education Code Title V regulations, the Americans with Disabilities Act and the ADA Amendments Act. A variety of supportive services and special classes are provided in an effort to eliminate barriers, maximize independence and promote educational opportunities that support the students' educational or vocational goals.

Acknowledgements

The Disability and Educational Support Program wishes to thank Cuesta College and Diablo Valley College for the use of their content from their student handbooks.

The Disability and Educational Support Program gratefully acknowledges the Disability and Educational Support Program faculty, staff and other West Valley College faculty and staff for their support and contributions to this handbook.
General Provisions

How to enroll in the Disability and Educational Support Program

New Students

If you are new to West Valley College (WVC) and/or the Disability and Educational Support Program (DESP) you should begin by scheduling an appointment with a counselor in the Disability and Educational Support Program (408 741-2010).

What to Bring to Your First Appointment

Bring the following documents to your first appointment: DESP Application for Service or completed DESP Intake form (both documents are located at www.westvalley.edu/DESP/forms.html). If you are coming to receive services for a disability other than a learning disability, bring a DESP Disability Verification (on website) which has been completed and signed by a physician or other appropriate professional or the most current written verification of disability. For a documented Learning Disability bring your most recent IEP and Psychoeducational Testing Report.

To make the most of your appointment, it is important that you be on time. If you must cancel, please call as soon as possible. If you do cancel, be aware that it may take a while before you can reschedule.

Continuing Students

Continuing students who will be using the same services as in their previous semester(s) must meet with a DESP counselor at least once a year to maintain eligibility for services. If you want to request a service that was not previously authorized, you must meet with a DESP counselor or a learning disabilities specialist for authorization.

Returning Students

Students, who have not been enrolled at West Valley College for a year or more, need to schedule an appointment with a DESP counselor to reactivate their file and reauthorize services. If you have been away for more than five years, your file has been destroyed and you must enroll as a new student by resubmitting documentation of disability. (See New Students above).
Eligibility Requirements

1. Students receiving services through DESP must be enrolled at WVC and must have a temporary or permanent disabling condition that has been verified by an appropriate professional. The student’s disabling condition must limit one or more major life activities, and also impose an "educational limitation." An educational limitation is a disability related functional limitation in the educational setting that occurs when the limitation prevents a student from fully benefiting from classes, activities, or services offered by the college without specific additional support services or instruction. Examples of disabilities include physical, communication, acquired brain injury, psychological, developmentally delayed learning and learning disabilities.

2. Students must possess the ability to respond appropriately to questions, follow directions, and demonstrate the potential to benefit from college programs and services.

3. Students must demonstrate appropriate adaptive and/or self-help behavior. This includes providing their own personal attendant care. DESP does not provide this service.

4. Students must demonstrate annual measurable academic progress as outlined on their Student Educational Contract. Failure to do so may result in suspension of services.

5. Students requesting services and/or academic accommodations offered at WVC need to arrange an appointment with a DESP counselor or learning disability specialist and complete an application for services. DESP will then review the disability documentation provided by the student and verify the disability by using one of the following means:
   - Review of documentation provided by appropriate agencies or certified or licensed professionals outside of DESP;
   - Assessment by appropriate DESP professional staff;
   - Observation by DESP professional staff with review by DESP Program Coordinator.

Once a student's disability has been verified, the DESP professional will identify the educational limitations, document them, along with the student’s educational goal(s), in the Student Educational Contract and review and update the Educational Contract annually.

6. Services may be denied if it is determined that a student does not meet one or more of the above eligibility criteria.
7. Students seeking to appeal the denial of services should seek remedy through the Coordinator of DESP. If, after consulting with the DESP Coordinator, students are still not satisfied, they may appeal to the Vice President of Student Services or the campus ADA 504 Coordinator (for issues involving discrimination or sexual harassment).

**Procedures for Requesting Academic Accommodations**

1. Student meets with a DESP counselor or faculty specialist to establish eligibility for academic accommodations.
2. Counselor or faculty specialist will refer you to our Accommodations Specialist or other appropriate staff member to arrange the accommodation.
3. Accommodations Specialist notifies appropriate college faculty members of student’s eligibility and requested accommodations.
4. Students are responsible for requesting their approved accommodations from the Accommodations Specialist each semester. It may take up to 10 days from the time of the request for the Accommodations Specialist to notify faculty members.
5. If there is any difficulty in providing the necessary accommodations, the Accommodations Specialist will consult with the DESP Coordinator to resolve the difficulty.
6. Community college policy is to provide reasonable accommodations, academic adjustments or modifications to eligible students 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 administrative or financial hardship.

**Accommodations List**

Decisions about the appropriate accommodations for any given student are made on an individual basis by DESP professional staff, taking into consideration documentation the student provides as well as assessment by appropriate DESP professional staff that document a disability. Accommodations may include, but are not limited to, the following:

Adjustments Needed Due to Disability Related Absences
- Make-up tests
- Provision of assignments

**DESP Computer Lab and Alternate Media**

- Adapted Computer Access Evaluations
- Drop-in Computer Lab
• Screen Enlargers
• Voice Activated Software (and training)
• Braille Keyboard
• Text Enlarger (CCTV)
• Text Readers (Jaws, Kurzweil)
• Alternate media workshops and training
• Braille Embossing
• E-text

Enrollment Assistance

• Class selection advisement
• Priority Registration

Equipment/Furniture

• Adjustable workstations and/or specialized seating
• FM Loop System (limited supply)
• Tape Recorder (limited supply)
• Pulse Pen (limited supply)

Interpreter/Captioner Services:

• Real-time educational transcriber
• Sign language interpreter

Mobility Assistance

• On campus tram service

Note taking:

• Note takers
• NCR paper for note taking by classmate
• Pulse Pen
• Pulse Pen (limited supply)

Reader Services

• Enrollment assistance with Learning Ally
• E-text

Testing Accommodations
• Extended time
• Print/Text enlargement
• Scribe/Reader
• Periodic Breaks
• Distraction-reduced environment
• Computer use for tests
• White board
• Calculator

Service Animal:

• Provided by student
• Registered by DESP

Important Note: DESP is not responsible for providing “personal attendant care”.

Accommodations Services Policy

All Accommodations

1. Accommodations will not be provided until a student's eligibility for such services has been verified.
2. Once a DESP counselor, or other DESP professional has obtained verification of a student's disability and determined the appropriate accommodations, the student will be referred to the DESP Accommodation Specialist to arrange services. Step-by-step instructions for utilizing a particular service will be provided.
3. Complete accommodation policies and rules for usage are provided to students when he/she utilizes a specific accommodation.

Test Taking

Test accommodations are provided to students who qualify based on their disability and educational limitations. Accommodations include, but are not limited to, extended-time, a distraction reduced environment and alternate media formats.

1. You must check with the Accommodations Specialist regarding notification deadlines for scheduling testing accommodations. Generally, notification of tests and quizzes is one week in advance.
2. Testing accommodations will occur during the regularly scheduled class time. In the case of a time conflict with extended test time and the student's class
schedule, the student must make special arrangements with the Accommodations Specialist at least one week in advance.

3. If you are enrolled in an on-line class, you must request your test accommodations through DESP in the same way as face-to-face classes. It is helpful to tell your instructor that you are working with DESP.

4. Instructors will be notified if cheating, unauthorized use of notes, books, calculators, or other improper behavior is observed during an examination. It is the instructor's decision at that point to take any action. Please refer to the West Valley College "Student Handbook".

5. Testing accommodations will be provided to students only in courses where their disability-related educational limitations indicate that they are necessary.

Accommodations may include, but are not limited to, the following:

1. Note taking is not a secretarial service and is not provided in lieu of the DESP student attending classes.
2. If the DESP student misses classes, it is his/her responsibility to contact the note taker. If a student is absent for more than two consecutive days, or absent frequently, DESP may suspend note taking services for that class.

Tape Recording

Tape recording accommodations are provided to students who qualify based on their disability and educational limitations. Although tape recording is a legally allowed accommodation, it is always a courtesy to ask each instructor if you can record his/her class. Strict guidelines for usage will be reviewed with the student.

1. If an instructor says no when tape recording is requested, contact the DESP Accommodation Specialist who will send a memo to the instructor.
2. Eligible students must agree to use the taped materials only for the purpose of aiding their academic studies.
3. Recordings may not be shared with others, reproduced or copied in any way.
4. Upon request, recordings erased at the end of the semester.
5. Students should refrain from taping any statements of a personal nature made by fellow students.
6. Recorded lectures are protected under federal copyright laws and may not be published or quoted without the expressed consent of the lecturer and without giving proper identity and credit to the lecturer.
Accessible Furniture/Equipment

Accessible Furniture/Equipment accommodations are provided to students who qualify based on their disability and educational limitations. Arrangements must be made with the Accommodation Specialist immediately after registering for the next semester’s classes.

1. To insure placement of furniture, or availability of equipment, by the first day of class, students must notify Accommodation Specialist immediately after registering for the next semester’s classes, fill out a Furniture Request or Equipment loan form and provide the Specialist with a copy of their schedule.

Alternate Media Services

Alternate Media accommodations are provided to students who qualify based on their disability and educational limitations. Alternate media includes, but is not limited to, etext, Braille, and Large print. It is important to request alternate media as soon material needs are identified to allow for production time

1. Alternate media must be requested each semester needed and must be submitted as soon as the student learns of their need. Late requests will be honored provided that the student making the request understands that the Alternate Media Specialist will set the timeline accordingly for completion of the work. Requests for e-text that are made after the midpoint of the course will be filled if the e-text is currently on file in DESP.
2. Students requesting materials in alternate formats must own a physical copy of the textbook or other course material, or obtain said materials before the alternate media will be distributed.
3. The student will not copy or reproduce any material provided by DESP, nor allow anyone else to do so. Misuse of this material will result in disciplinary action by the Vice President of Student Services. Inappropriate conduct by students or any abuse of the DESP services is subject to discipline as outlined in Title 5, California Code of Regulations.

Accommodations for Hearing Impaired Students

Accommodations for Hearing Impaired Students are provided to students who qualify based on their disability and educational limitations. The Disability and Educational Support Program at West Valley College provides support services for eligible West Valley College students with a documented hearing impairment that prevents them
from hearing orally presented material. These services may include real time captioning, sign language interpreting or loan of specialized equipment, like the FM loop.

1. Students requesting interpreters or captioners must notify DESP during the first day of registration for their classes and provide the Program Specialist with a class schedule to insure that appropriate interpreting and other support services can be provided. Students requesting the loan of FM equipment must sign an Equipment Loan Agreement.

**In Class Assistant Policy**

In Class Assistants are provided to students who qualify based on their disability and limitations.

1. Eligible students requiring an assistant, especially in a lab setting, should schedule an appointment with a DESP counselor as soon as they are registered for classes to request this service. Assistants are hired on an as needed basis.
2. If a student wishes to provide his/her own in-class assistant, the assistant must meet with the DESP Coordinator and complete a WVC “Volunteer Service Form.”
3. The in-class assistant is there to provide a reasonable accommodation based on the student’s disability and educational limitation. The assistant cannot act as another student in the class, nor can he/she behave in a way that is disruptive to the class process).

**Priority Registration Policy**

Priority Registration is provided to students who qualify based on their disability and limitations. It is often important for students with disabilities to enroll in specific sections of a course to accommodate their disability. They may need to arrange for interpreter services, participate in a DESP class, or coordinate other accommodations. As a result, DESP offers priority registration to qualified students.

1. To receive priority registration students must be enrolled in a DESP class or make contact with a DESP Counselor, other DESP Professional or Accommodations Specialist during the first six weeks of the semester.
2. To maintain eligibility students must meet with a DESP Counselor or other DESP Professional at least once per year to review and update their Student Educational Plan.
3. This registration will follow basic guidelines established by the Admissions and Records Office (e.g., deadlines, application guidelines, use of telephone/web
registration, tuition and fee payments, Board of Governor's Waiver (BOGW), and/or authorizations from the Department of Rehabilitation).

**Service Animals**

Service Animals are dogs that have been individually trained to do work or perform tasks for the benefit of an individual with a disability. Other animals, whether wild or domestic, do not qualify as service animals. Dogs that are not trained to perform tasks that mitigate the effects of a disability, including dogs that are used purely for emotional support, are not service animals.

1. The student must provide documentation of his/her disability and a description of the disability related tasks that the animal performs which facilitates access to College programs, services or activity.
2. Review of disability verification and determination by the West Valley College DESP Coordinator for the use of service animals is made on a case-by-case basis.
3. The care and supervision of a service animal is the responsibility of the student. Civil Code Section 54.2 requires that the owner of the service animal be responsible for any damage done to the premises or facility by the animal.
4. All service animals must be immunized in accordance with State of California Health and Safety Code, 121690. Documentation will be requested.
5. A student with a disability that has a service animal that poses a threat to health, safety or program disruption shall be informed that the animal is not an allowable accommodation and cannot be on campus. Failure to comply with this exclusion may result in disciplinary action.

**Subsequent Requests for Accommodation/Adjustment**

1. If, after the initial adjustment meeting has been held and the academic adjustments have been established, and the student believes that additional and/or modified adjustments are called for, the student must meet with his/her DESP counselor to discuss the reason for the requested adjustment. The counselor will then review relevant documentation (including medical and academic documentation), consult with the instructor to determine that the request does not fundamentally alter the course and revise the list of approved academic adjustments as necessary. The accommodation specialist will then communicate the revised academic adjustments to the instructor(s)
2. Instructors who receive direct requests for accommodation/adjustment from students should refer all such requests to DESP for review pursuant to this
policy. No decisions to implement or deny adjustments should be made unilaterally by the instructor.

**Student Grievance Rights**

1. If a student is denied an academic adjustment or use of an auxiliary aid by an instructor, or finds that the academic adjustment provided is ineffective, the student can appeal by following these steps:
   - Students are encouraged to initially discuss the problem with the academic adjustment with the instructor. If this has already been attempted, or the student feels uncomfortable approaching the instructor or feels it will be ineffective, the student can choose to move to the next step in the appeal process. [The student's DESP counselor can be invited to participate in the discussion with the instructor.]
   - If no resolution to the complaint is found with the instructor, the student should contact the coordinator of DESP who will investigate the complaint and seek an appropriate resolution. [Cheryl Miller, Coordinator, (408) 741-2620]
   - If the issue is not resolved, the appeal should be directed to the ADA/504 Compliance Officer, who will make an interim decision pending a final resolution. The interim decision will be made within five working days. An investigation will be conducted leading to a final resolution within sixty days. [The District’s ADA/504 Compliance Officer is Mr. Brad Davis and can be reached at (408) 741-2060.]
   - If a student believes that he/she has been subject to discrimination related to a disability, they should file a written complaint pursuant to the District’s policy against unlawful harassment and discrimination with the college's ADA Compliance Officer [Brad Davis, (408) 741-2060.]

**Important Points to Remember**

1. To arrange an appointment with a DESP counselor or to inquire about learning disability or communication assessment services, please call the DESP appointment desk between 8:30 AM – 4:30 PM Monday, Wednesday and Thursday, Tuesday 8:30 AM to 6:00PM and 8:30 AM – 12:00 PM on Fridays at (408) 741-2010 or go directly to the DESP Office during posted office hours and arrange your appointment. *Note: Summer and winter session hours may be reduced.*
2. If you have general questions regarding the DESP program, please call the DESP Office at (408) 741-2010.
Student Rights

1. All records maintained by DESP personnel pertaining to students with disabilities are protected from disclosure and are subject to all other requirements for handling of student records.
2. Participation by students with disabilities in DESP is entirely voluntary.
3. Receiving support services from DESP does not prevent a student from participating in any other course, program, or activity offered by the college.
4. Though the DESP process has been designed to be the most expedient in meeting student needs, students may choose to request services through the ADA 504 Coordinator. This coordinator will then designate a district official with knowledge of accommodation requirements to review such requests. Students will be required to provide disability verification before services are provided.

Student Responsibilities

Students receiving services and/or instruction through the DESP office shall:

1. Provide DESP with the information, documentation and/or forms (medical, educational, etc.) deemed necessary by DESP to verify the disability (ies).
2. Meet with a DESP professional to complete a Student Educational Contract and agree to meet with the professional at least annually to update the Contract.
3. Be responsible in the use of DESP services and adhere to written service provision policies adopted by DESP (see Abuse of Services below).
4. Comply with the Student Code of Conduct adopted by the college as written in the college catalog.
5. Make measurable progress toward the goals established in the student's Student Educational Contract and meet academic standards established by the college (see Measurable Progress below)

Failure to comply with the above standards may result in suspension of DESP services, as well as, consequences outlined in the College’s Student Disciplinary Policy.

DESP Responsibilities

Disability and Educational Support Program staff members help students obtain the academic accommodations necessary to allow equal access to West Valley College's programs and services. It is the responsibility of DESP to utilize resources so that all
students can receive equitable services. We establish policies and procedures that adhere to the WVC and DESP missions and that provide students access to reasonable accommodations.

**Suspension of Services**

DESP also has the responsibility of establishing requirements for measurable progress and abuse of services. If a student does not adhere to established policies, s/he will be notified of the possibility of suspension of DESP services.

There only two ways that services for eligible students may be suspended by DESP:

1. Lack of measurable progress, or
2. Abuse of services.

**Measureable Progress**

A lack of measurable progress may be defined in any of the following ways and may result in a loss of DESP services:

- Failure to pass (by receiving grades of W, NP, or F) courses while utilizing appropriate accommodations.
- Failure to meet WVC's academic standards as defined by the Academic Probation and/or Dismissal policies.
- Failure to make progress, for two consecutive semesters, toward goals established in the individualized Student Educational Contract.

**Abuse of Services**

Abuse of services is defined as a failure to comply with the policies or procedures of the individual services that a student is using. Failure to comply with these policies or procedures may result in suspension of that service.

1. Prior to the suspension of a service, the student will be notified in writing that, unless s/he meets with a DESP counselor, the service will be suspended.
2. Once an "Intent to Suspend Services" letter has been sent, the student must agree to and sign a "Contract for Continuation of Services" before the date of suspension in order to avoid suspension of services.
3. Suspended services may be reinstated during the current semester only with the authorization of a DESP counselor, specialist or coordinator and only if there are extenuating circumstances which warrant reinstatement.
Appeal Process

Students seeking to appeal the suspension of services should seek remedy through the Coordinator of DESP. If, after consulting with the DESP Coordinator, students are still not satisfied, they may appeal to the Vice President of Student Services.

If the DESP Coordinator or Vice President of Student Services approves a student's appeal, that student will be asked to agree to and sign a "Contract for Continuation of Services" to avoid service suspension.

Confidentiality

All disability-related contacts with the DESP office and resulting information remain confidential unless a student signs a specific written release to share that information. In addition, DESP shares information with other appropriate West Valley administrators, faculty members or staff ONLY to the extent that it is necessary to facilitate the student’s educational process and at all times is sensitive to the student’s right to privacy and confidentiality. DESP will ask for student permission to obtain appropriate documentation to verify eligibility for services.

Liaison to Campus and Community

For reasons of confidentiality, DESP staff members will not discuss a student's disability with either faculty or staff without the student’s permission. As a result, students are encouraged to talk with their instructors about their specific accommodation needs. When requested by a student, DESP staff may intervene on the student's behalf to facilitate provision of services or to help students communicate their needs to others. Also, DESP staff may help students obtain services in the community by providing information and, in some cases, introductions to community resources.

Absence Notification Guidelines

Classes:

It is the student’s responsibility to notify instructors of any absences. If the absence is related to your disability or medication condition, you must contact your DESP counselor and make a request for subsequent modification/adjustment. You may request that the counselor assist you in contacting instructors if you are not able to do so yourself.
Services:

Students receiving support services (interpreters, mobility assistance, testing accommodations, etc.) must notify the DESP office of their absence prior to the time these support services are scheduled to be delivered. Three (3) failures to do so may result in termination of the service. For students' convenience, messages may be left at:

1. (408) 741-2451 - mobility assistance (tram service)
2. (408) 741-2453 - all other support services (408) 741-2658 -TTY
3. (408) 741-2010 - DESP Front Office

Duplication Services Guidelines

The DESP office provides duplication services only for the enlargement of tests, handouts and classroom notes as necessary for an approved accommodation. There is a CCTV text enlarger located in the DESP Adapted Computer Lab in the Learning Services Building, the Library and Tutorial Center to read textbooks and other resource materials.

Telephone Usage Guidelines

The telephones in the DESP office are for official use only. Student usage is limited to emergencies.

TDD pay telephones are also available in the following locations (see campus map):

- Outside the Learning Services Building (DESP is housed in this building)
- Inside the Administration Building in the Human Resources Office

Financial Aid

DESP does not have funds available to directly assist DESP students with their financial needs. Students may apply for Financial Aid to assist with purchases of books, supplies and other educational necessities. There are specific guidelines and deadlines for applying for financial assistance. Please go to the Financial Aid office for further information (located in the Admissions and Records Building). Students may qualify for funds from the California Department of Rehabilitation or the Extended Opportunity Program and Services (for low income and educationally disadvantaged students). Students may also apply for a variety of scholarships through
the Scholarship Committee which grants scholarships for both continuing and transferring students.

**Campus Access**

The college has an ongoing process for evaluating architectural barriers and recommending changes.

If students encounter difficulties with access, please inform the DESP Coordinator and steps will be taken to evaluate and address the problem. Students may also contact the ADA 504 Coordinator to address his/her concerns.

**Special Courses**

Learning Skills Classes

- Basic Skills Courses in reading, writing and math
- Learning strategies course
- Support groups for writing and math
- Adapted Physical Education courses
- Adapted Computer Courses

See the current schedule of classes for a complete listing of DESP course offerings.

**Special Course Attendance Guidelines**

Attendance policies, established by each instructor, are included on course syllabi, and follow general college guidelines.

**Special Course Attendance Guidelines**

Attendance policies, established by each instructor, are included on course syllabi, and follow general college guidelines.

**Special Course Repeatability**

Students are allowed to repeat some special courses for up to four times. Please see a DESP counselor or the class instructor for information.

**Accessible Parking**

Students who have a designated license plate or a temporary parking placard issued by the Department of Motor Vehicles do not need a West Valley College parking permit;
they are eligible to park in any specially marked disabled parking space. If these spaces are full, parking is permitted in any other parking stall. Parking in driveways, on lawns or other illegal parking locations is not permitted.

Academic Substitution Policy

Students with disabilities are expected to meet the same requirements as all other students. The College’s policy on Academic Substitution/Waiver is outlined in Appendix B. If you need assistance with any part of the application process, meet with your counselor. Please be aware that the policy in place at West Valley College applies only to this college. Academic policies vary at both California State University and University of California systems.

Laws

- [http://www.ada.gov/cguide.htm](http://www.ada.gov/cguide.htm)

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities 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 individuals with disabilities with opportunities equal to those enjoyed by individuals without disabilities.

- Section 508 Amendment to the Rehabilitation Act of 1973
- [http://www.access-board.gov/sec508/guide/act.htm](http://www.access-board.gov/sec508/guide/act.htm)

Section 508 amended the Rehabilitation Act to require federal agencies to make electronic and information technology accessible to individuals with disabilities. It provides students with disabilities access to electronic and information technology comparable to the access available to students without disabilities.

- Americans with Disabilities Act of 1990 (ADA)
- [http://www.ada.gov/cguide.htm](http://www.ada.gov/cguide.htm)

The Americans with Disabilities Act of 1990 (ADA) extends federal civil rights protection in several areas to people who are considered disabled. 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 s/he seeks access. That means the person must be able to perform the essential functions of the
job or meet the essential eligibility requirements of the program or benefit. Reasonable accommodations provide students with adjustments that assure equal rights and privileges.

- **ADA Amendments Act of 2008**
- [http://www.ada.gov/pubs/ada.htm](http://www.ada.gov/pubs/ada.htm)

The ADA Amendments Act broadens the coverage of the Americans with Disabilities and Rehabilitation Acts in four key areas: the definition of “disability”, the list of “major life activities”, the use of mitigating measures and individuals regarded as disabled.

Full text of these laws can be found on: [www.usdoj.gov](http://www.usdoj.gov) The ADA can also be found in the DESP Library.

**California Community Colleges Title V Regulations**

Sections 56000-56076 of Title 5 California Code of Regulations delineates the State regulations which apply to community colleges that offer support services or instruction to students with disabilities through Disabled Student Programs and Services (DSPS). **Explanation of Title V Regulations** can be found under Disabled Students Programs and Services at [http://www.cccco.edu/ChancellorsOffice/Divisions/StudentServices/DSPS/tabid/6166/Default.aspx](http://www.cccco.edu/ChancellorsOffice/Divisions/StudentServices/DSPS/tabid/6166/Default.aspx)

**Disability and Educational Support Program Staff West Valley College**

- Accommodations/Support Services
  Mike Scaletta [mike.scaletta@westvalley.edu](mailto:mike.scaletta@westvalley.edu) 408 741-2453
- Adaptive Physical Education
  Joan Worley [joan.worley@westvalley.edu](mailto:joan.worley@westvalley.edu) 408 741-2420
- Adapted Computer Courses Alternate Media Services
  Anne Crosby [anne.crosby@westvalley.edu](mailto:anne.crosby@westvalley.edu) 408 741-2063
- Coordinator
  Cheryl Miller [cheryl.miller@westvalley.edu](mailto:cheryl.miller@westvalley.edu) 408 741-2620
- Counseling
  Jean Finch [jean финch@westvalley.edu](mailto:jean финch@westvalley.edu) 408 741-4034
  Ross Smith [ross.smith@westvalley.edu](mailto:ross.smith@westvalley.edu) 408 741-4027
- Learning Disability Services
  Judy Colson [judy.colson@wvm.edu](mailto:judy.colson@wvm.edu) 408 741-2450
  Susan Sherrill [susan.sherrill@westvalley.edu](mailto:susan.sherrill@westvalley.edu) 408 741-2452
• Senior Office Coordinator  
Colleen Butterfield colleen.butterfield@westvalley.edu 408 741-2010
Appendix A

Definitions of Title V Disability Categories:

- Acquired Brain Injury
  Acquired Brain Injury means 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, psychosocial and sensory perceptual abilities. (Administrative Code, Title V.) Among the cognitive deficits persons with head injuries may experience are difficulties with concentration, memory, problem solving and abstract reasoning.

- Communication Disabilities
  Title V defines a communication disability as an impairment in the processes of speech, language or hearing (see Deaf and Hard of Hearing section). Communication disorders take many forms. Students can be born with these disorders, or accidental injury or illness can cause them at any age. Some common disorders include stuttering; articulation problems that cause people to pronounce sounds incorrectly, making their speech difficult to understand; language disorders that limit a person's ability to understand or use spoken or written words; and voice disorders that make speaking extremely difficult. Aphasia is a speech and language disorder that frequently follows stroke or brain injury. People with aphasia often can think clearly, but cannot effectively express their thoughts. Whatever the kind or cause, a communication disability can have serious academic, social and vocational consequences.

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

- Developmentally Delayed Learners
  The Title V Definition of a Developmentally Delayed Learner is a student who exhibits the following: (a) Below average intellectual functioning; and (b)
Potential for measurable achievement in instructional and employment settings. Accommodations appropriate to the functional limitations exhibited in the regular instructional setting are mandated for all students with disabilities. Developmentally Delayed Learners must be otherwise qualified to be in the class in order to be entitled to such accommodations. This means that they must meet any properly established and validated prerequisites for the course.

- **Learning Disabilities**
  Learning disability in the California Community College system is a persistent condition of presumed neurological dysfunction which may also exist with other disabling conditions. This dysfunction continues despite instruction in standard classroom situations. Learning disabled adults, a heterogeneous group, have these common attributes:
  1. Average to above average intellectual ability;
  2. Severe processing deficit;
  3. Severe aptitude-achievement discrepancy(ies); and
  4. Measured achievement in an instructional or employment setting

- **Mobility and Physical Disabilities**
  Physical Disability means visual, mobility, orthopedic or other health impairment. Mobility and orthopedic impairment means a serious limitation in locomotion or motion functions.

- **Visual Impairment**
  Visual Impairment means total or partial loss of sight. Title V defines blindness as a visual acuity 20/200 or less in the better eye after correction or visual loss so severe it does not serve as a major channel of information processing. Partial sightedness is defined as visual acuity of 20/70 or less in the better eye with correction.

- **Psychological Disabilities**
  According to Title V, psychological disability means a persistent psychological or psychiatric disorder, or emotional or mental illness. A psychological disability must be verified by an appropriately licensed or certified professional (licensed psychologist, psychiatrist, MFT, or LCSW), and the accommodations for the students with psychological disabilities must adhere to disability-related support services defined in Title V regulations and may not include psychotherapy.

- **Other Disabilities**
  This category includes all students with disabilities, as defined who do not fall into any of the categories described previously, but who indicate a need for support services or instruction, (as defined by Title 5). This includes medical and physical disabilities such as acquired immune deficiency syndrome (AIDS), attention deficit and attention deficit hyperactive disorder (ADD and AD/HD), Asperger’s syndrome or Autism, chronic pain,
diabetes, environmental illness, cardiac disorders, multiple sclerosis, seizure disorders and muscular dystrophy.

APPENDIX B

West Valley – Mission Community College District Board Policy

5.11 PROGRAMS AND SERVICES FOR DISABLED STUDENTS

5.11.1 The Disability Instructional Support Center (Mission College) and Disability and Educational Support Program (West Valley College) are the primary providers of support programs and services that facilitate equal educational opportunities for disabled students who can profit from instruction as required by Federal and State laws. The services to be provided include, but are not limited to reasonable accommodations, academic adjustments, accessible facilities, equipment, instructional programs, rehabilitation counseling, and academic counseling. Services shall be available to students with verified disabilities.

5.11.2 The Board recognizes the increasing importance of equal access to electronic and information technology as more learning opportunities are based on these resources. The District is committed to providing equal access to all members of the District community and to supporting the open access policy of the California Community College system by providing barrier-free access to all students, including access to electronic and information technology in accordance with State and Federal mandates (Section 504 of the Rehabilitation Act of 1973, Section 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and California Senate Bill 105). The District is committed to expanding the boundaries of access beyond the physical setting for students with disabilities recognizing that students are entitled to equal access to electronic information and technology.

5.11.3 The Board recognizes that a disability may preclude a student from demonstrating required proficiencies or from completing course requirements necessary for an AA or AS degree in the same manner as non-disabled students. The Board also recognizes the need to accommodate students with documented disabilities to the greatest extent possible without compromising the student's course of study, the student's confidentiality and dignity, and the integrity of the student's degree.

5.11.4 The Board intends for all graduates to master the competencies required by The California Code of Regulations, Title 5 and to complete the courses required for graduation. The Board recognizes that most disabilities that preclude a student from completing a course can be overcome by altering the method of course delivery and providing a combination of appropriate accommodations. Therefore, for most students
with documented disabilities, the first level of accommodation will involve extra help: tutorial assistance, auxiliary aids, test accommodations, and/or a slower-paced version of the course are examples of the kinds of assistance the District may extend to students. For some students with a disability, such accommodations and alterations of course delivery will not be enough to enable completion of the course. For these students, a course substitution will be individually considered under the conditions described in District procedures. Only in the most extreme cases will a course waiver be considered. All policies and procedures that apply to approval of course substitutions or waivers also apply to proficiency requirements.

5.11.5 The Chancellor or designee shall assure that the Disability Instructional Support Center (Mission College) and Disability and Educational Support Program (West Valley College) conform to all requirements established by relevant law and regulations.