

AR 5140 DISABLED STUDENT PROGRAMS AND SERVICES (DSPS)

The District maintains a plan for the provision of programs and services for students with disabilities which is designed to assure equal access to District courses, programs and activities.

Access

The District will maintain a plan and procedures at all campus locations to assure equal access to:

- facilities and equipment at all campus locations.
- electronic and information technology,
- instructional programs,
- student activities, and
- educational support services.

Students who request accommodations or services on the basis of a disability will be required to submit documentation of the disability to a certificated staff in the Disabled Student Programs and Services (DSPS) Department. The certificated staff will review the documentation and current functional limitations through an interactive process with the student. The certificated staff will determine and document whether or not the request is reasonable and assure timely delivery of reasonable accommodations, if applicable. If the disability and current functional limitations are verified, the student will be eligible to participate in the DSPS Program.

Due Process

The District policy statement covering nondiscrimination on the basis of a disability will be disseminated to students through the schedule of classes, catalog, publications, and the District ~~and program's~~ website.

The Title IX/ADA/504 Compliance Coordinator or designee will maintain a Student Rights and Grievance procedure for students enrolled in a District program who wish to file a grievance to resolve allegations of discrimination based on a disability. This procedure will be disseminated to students through the schedule of classes, catalog, publications, and the District ~~and program's~~ website.

The ADA/504 Compliance Officer maintains a plan for impartially responding to the student grievance procedure that outlines the District's obligation to provide reasonable accommodations for students with disabilities.

Standards

~~After consultation with the Faculty Coordinator, t~~The DSPS Director ~~or designee~~ shall maintain a plan and procedures that address standards for delivery of programs and services for students with disabilities.

Service Provision

~~After consultation with the Faculty Coordinator, t~~The DSPS Director ~~or designee~~ shall maintain a DSPS plan and procedures which include, but are not limited to:

- Mission, philosophy, and purpose;
- Long-range goals, and short-term measurable objectives for the program;
- Action plan, program, and evaluation;

- Definition of disability(ies), limitation, and eligibility for the program;
- Verification of disability;
- Availability of support services and instruction that is provided;
- Technology accessibility;
- Suspension of services;
- Requests for academic adjustments, auxiliary aids and services;
- Requests for course substitution and waivers;
- Staffing;
- Procedure for timely response to accommodation requests involving academic adjustments which, at a minimum, provides for an individualized review of each such request, and permits interim decisions on such requests pending final resolution by the appropriate administrator or designee;
- Student rights and responsibilities;
- Academic Accommodation Plan (AAP) that is developed by a DSPS certificated staff in consultation with the student;
- Advisory committee

Student Rights

After consultation with the Faculty Coordinator, tThe DSPS Director ~~or designee~~ shall maintain a plan and procedures for informing students of their rights as a student with a disability.

After consultation with the Faculty Coordinator, tThe DSPS Director ~~or designee~~ shall maintain a plan and procedures for maintaining disability-related student records.

The DSPS Plan is available to students online at the program's website, and in print in the DSPS Office.

The DSPS Plan will be reviewed and updated at least *annually* by the Director of Disabled Students Programs and Services in consultation with the Faculty Coordinator.

Policies and Procedures can be referenced ~~at: DSPS li~~online at the program's website.

Funding

In consultation with the Chief Director of Fiscal Services and the Faculty Coordinator, tThe DSPS Directoristrict's ~~designee~~ shall maintain a plan and procedures for appropriately funding accommodations, programs and services for students with disabilities.

References:

Title 5, Sections 56000 et seq.
American with Disabilities Act
Sections 504 & 508 Rehabilitation Act
DSPS Policies and Regulations

Revised: 8September 19, 2018

~~❖ From current SMC AR 4111.2 Classroom Assistance for Students with Disabilities~~

Classroom Assistance for Students with Disabilities

~~Any person attending a class must be officially enrolled, with the following exceptions.~~

~~A note-taker, classroom aide, sign language interpreter, real time captionist, or other assistant may be present in the classroom to assist a student who has been approved by DSPS for an academic adjustment.~~

~~Some students with disabilities employ personal assistants to manage a variety of tasks such as mobility and other personal needs. A personal assistant may accompany a qualified student with a disability to classes and other student activities, if a formal request has been approved by the SMC Disabled Student Programs and Services (DSPS). All such assistants must be registered with the DSPS. The DSPS will notify the instructor of the approval.~~

~~The assistant may provide all accommodations approved by DSPS on a case-by-case basis. The student is independently responsible for content on all evaluated course work. The personal assistant is bound by the Rules for Student Conduct. (AR 4410 5500 Standards of Student Conduct)~~

~~❖ From current SMC AR 4115 Academic Adjustments for Students with Disabilities~~

~~**Academic Adjustments for Students with Disabilities**~~

~~In accordance with State and Federal law, academic rules, policies and practices at Santa Monica College may be modified, as necessary, to ensure that they do not discriminate, or have the effect of discriminating on the basis of handicap, against qualified handicapped applicants or students. The procedure for seeking an adjustment is as follows:~~

~~**Process for Adjustment**~~

- ~~1. A student with a documented disability contacts the instructor or instructors prior to or at the beginning of the semester with a request for an academic adjustment.~~
- ~~2. The instructor or instructors discuss the request with the student and confer (if necessary) with the staff at the Center for Students with Disabilities to determine an appropriate adjustment.~~
- ~~3. A student with a documented disability may also seek an adjustment by requesting staff at the Center for Students with Disabilities to initiate contact with the instructor(s).~~
- ~~4. If the student, instructor(s) and staff at the Center for Students with Disabilities have made a reasonable effort to resolve the matter and are unable to agree on an appropriate adjustment within five working days, the matter may be referred to the 504 Compliance Office or her/his designee.~~
- ~~5. The 504 Compliance Officer or her/his designee will gather appropriate information and determine a reasonable accommodation within two working days after having received written notification of a problem from a concerned party and will make an interim adjustment pending a final resolution.~~

~~**Appeal Process**~~

- ~~1. If the student or the agents of the college do not concur regarding the requested academic adjustment, the matter will be forwarded to the Academic Accommodations Panel. The role of the Academic Accommodations Panel is to review the request for academic adjustment. Specifically, does the adjustment ensure access for the disabled for participation in the academic program and maintain the integrity of the course content?~~

~~2. The Academic Accommodations Panel will include the following members:~~

- ~~• A faculty member from the Disabled Student Programs and Services (DSPS)~~
- ~~• The 504 Compliance Officer~~
- ~~• Two instructors from the academic area (one selected by the department chair and one selected by the instructor)~~
- ~~• An advocate or information specialist of the student's choice (non-voting)~~
- ~~• An academic administrator who serves as the chair of the committee~~

~~3. The student and the instructor will meet with the Academic Accommodations Panel and will have an opportunity to express their concerns.~~

~~4. The Academic Accommodations Panel will meet no later than 10 working days after the interim adjustment has been made and will then render a written decision within five working days.~~

❖ From current SMC AR 4353 Adjustment of Graduation Requirement for Students with Disabilities

In cases in which an otherwise qualified student's disability-related functional limitations may preclude him/her from successful completion of a course required for a degree or certificate, a course substitution may be considered.

If the student and the academic department mutually agree upon a course substitution, and the proposed course substitution meets the requirement of comparable concept mastery, the course substitution will be granted by the Vice President of Academic Affairs. If the academic department has denied a student's request for course substitution and the student remains unable to complete a course, the student may appeal this decision by taking the following steps:-

Process for Course Substitution:

~~1. The student will complete a written, formal request and submit this petition to a DSPS faculty member. This request may only be accepted by DSPS after the student has completed 45 applicable units. This request should be submitted prior to the student's final semester to avoid last semester negotiations.~~

~~2. A preliminary review of the student's disability-related need for a course substitution will be made, taking into account the unique needs of each student. This review must be conducted by a team of appropriate professionals within DSPS, including the Coordinator of DSPS. Sufficient written documentation that the student meets all standardized criteria established by Title 5 and the Chancellor's Office relevant to the student's disability must be demonstrated to the DSPS office in order to proceed with a formal request. (Sections 56032-56044 of Subchapter 1 of Chapter 7 of Division 6 of Title 5)~~

~~3. If the DSPS team determines that the above requirements are met, it will develop an educational plan with the student that addresses the student's particular disability, immediate and future educational and career goals, and how this particular course substitution will affect any prerequisite, graduation or transfer requirements detailed by this educational plan. Within thirty (30) instructional days of receiving the formal request, DSPS and the student will present this plan in writing to an ad hoc committee consisting of the following individuals:~~

- ~~Academic Dean (Chair of the ad hoc committee)—appointed by the President or designee.~~
- ~~DSPS Coordinator or designee~~
- ~~Department Chair from the area in which the course to be substituted is offered~~
- ~~Two at-large faculty members:

 - ~~Curriculum Committee Chair (or designee)~~
 - ~~Faculty member not from the department from which the student seeks the substitution (appointed by the Academic Senate President)~~~~
- ~~ADA/Section 504 Compliance Officer (non-voting)~~

~~A quorum shall be established when at minimum the Department Chair (or designee), the DSPS Coordinator (or designees), and one faculty member are present. Other, non-voting individuals may be present if requested by committee members. The petition will be evaluated on a case-by-case basis. Through the evaluation of the student's transcript and the proposed plan, it must be evident that the student is otherwise qualified and will meet all other graduation requirements (see AR 4350). Within twenty (20) days of the referral from DSPS, this committee will determine if the requested substitution constitutes a fundamental alteration of the educational program in which case necessary adjustments of the educational plan may be presented. The plan developed by the ad hoc committee becomes effective immediately and will be coordinated and implemented by DSPS. The Coordinator of DSPS or his/her designee will ensure that the provisions of the plan are followed.~~

4. ~~If a course substitution (which may include a special project or independent study coursework) is recommended, a written contract between the ad hoc committee and student will be established. The relevant academic departmental representatives will recommend a substitution which will achieve student learning outcomes and objectives comparable to those of the course for which the work will be substituted. The committee, may at its discretion request/require any of the following:

 - ~~Completion of the substitute work within a specified period of time.~~
 - ~~If a project or independent work is assigned, the department chair and/or a departmental faculty member will be solely responsible for evaluating the student's work and communicate its evaluation results to committee members.~~~~
5. ~~Once the agreed upon project or independent work has been successfully completed, the ad hoc committee may at its discretion reconvene to certify its completion and forward its approval to the Vice President of Academic Affairs for final approval.~~
6. ~~It is the student's responsibility to consider the consequences of course substitution in transferring to another postsecondary institution. If the original course is required for transfer, it is the student's responsibility to contact the transfer institution for consideration of a disability-related adjustment.~~
7. ~~The district is not obligated to develop a substitute course. Academic requirements that are essential to a program or directly linked to licensing requirements will not be considered for substitution.~~

Reference: ~~Title 5, Sections 56032-56044~~

❖ ~~From current SMC AR 4353.1 Full-Time Status for Students with Disabilities with Reduced Course Load~~

Full-Time Status for Students with Disabilities with Reduced Course Load

~~The purpose of this Administrative Regulation is to provide full-time status to qualified students with significant disabilities who, as a direct result of disability, are unable to carry a full course load and, consequently, would be unable to participate fully in the benefits and privileges afforded full-time students.~~

~~Under College policy, full-time status requires enrollment in no less than 12 units. While it is typically preferable for a student with a disability to be accommodated through methods such as academic advising, priority enrollment, and academic accommodations, it may be necessary for a student to request a reduced course load because of a more severe academic impact of a significant disability. Factors unrelated to the disability such as employment, curricular activities, family/personal obligations, inadequate academic preparation, failure to use appropriate academic accommodations, or poor class attendance cannot be the primary reason(s) for a student with a reduced course load to be considered a full-time student. Students who are approved for full-time status with reduced course loads should work closely with their academic advisers on a coursework plan, particularly with respect to university and college degree completion time limitations.~~

~~This policy will regulation allow an eligible student to carry a reduced course load without forfeiting the benefits and privileges of full-time status. However, eligible students should follow up with auxiliary services such as federal financial aid, personal health insurance, and non-College sponsored scholarships as these and other services may be adversely affected by the reduction in semester hours. The College cannot require outside entities to abide by the College's determination of a reduced course load/ full-time status designation. If a student who has been approved for a reduced course load further reduces his or her course load below the approved number of hours for full-time status, the student's full-time status shall be revoked automatically and will no longer be in effect.~~

Procedure

~~Requests for reduced course loads/full-time status should be submitted to the Coordinator, Disabled Students Programs & Services (DSPS), or designee. The Coordinator, DSPS, or designee will grant or deny the request based on consideration of the factors set forth above. The reduced course load, if approved, is not permanent but must be re-evaluated each semester.~~

~~❖ **From current SMC AR 4345 Suspension of Services Provided by Disabled Student Programs and Services (DSPS)**~~

Suspension of Services Provided by DSPS

~~Pursuant to Title 5 Section 56010(b), a qualified student with a disability may be denied services through DSPS in two ways:~~

- ~~(A) Lack of measurable progress, or~~
- ~~(B) Inappropriate use of services.~~

~~Reference: California Code of Regulations, Title 5, Section 56010(b)~~

Measurable Progress

Pursuant to Title 5 Section 56010(a), a lack of measurable progress is defined as either:

- ~~1. Failure to meet the academic standards outlined in AR 4342 4250 Probation and AR 4255 Dismissal and Readmission Disqualification, standards established by the College, or~~
- ~~2. No progress for two consecutive semesters with the goals outlined in the DSPS Student Educational Contract (SEC) when enrolled in special, non-credit courses.~~

Reference: California Code of Regulations, Title 5, Section 56010(a)

Inappropriate Use of Services

~~Inappropriate use of services is a failure to comply with the policies and procedures of service provision that a qualified student has been authorized to use. Failure to comply with the terms stated within each specific service provision area may result in suspension or termination of that specific service in the following ways:~~

- ~~1. Only services that have been used inappropriately may be suspended or terminated during an enrolled term, and only for the duration of the term.~~
- ~~2. The student shall be notified in writing prior to the suspension or the termination of said service. The student may file a written appeal addressed to the ADA Compliance Officer within 10 working days following the date of the notice. The ADA Compliance Officer or his/her designee will render the final decision within 10 working days and notify the student in writing of said decision.~~
- ~~3. As with all requests for service, authorization of services in subsequent terms will follow the Academic Adjustments for Students with Disabilities (AR 4115 see above).~~

Reference: Title 5, Section 56010