

Handbook for Students with Disabilities

Chipola College

Office for Student Disability Services

Chipola College does not discriminate against any persons, employees, students, applicants or others affiliated with the college with regard to race, color, religion, ethnicity, national origin, age, veteran's status, disability, gender, genetic information, marital status, pregnancy or any other protected class under applicable federal and state laws, in any college program, activity or employment. Title IX of the Education Amendments of 1972 (20 U.S.C. ss1681) is an all-encompassing federal law that prohibits discrimination based on the sex of students, employees, and third parties when appropriate, of educational institutions, which receive federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. Chipola College complies with all aspects of this and other federal and state laws regarding non-discrimination. Questions about compliance with Title IX or a complaint regarding harassment or discrimination, including sexual harassment and sexual violence, should contact the College's Equity Officer and Title IX Coordinator: Wendy Pippen, Associate Vice President of Human Resources, Equity Officer and Title IX Coordinator, 3094 Indian Circle, Marianna, FL 32446, Building A, Room 183A, 850-718-2269, pippenw@chipola.edu

Table of Contents

Introduction	3
Goals for Providing Services to Students with Disabilities	3
Responsibilities of Higher Education Related to Legislative Mandates	4
The Rehabilitation Act of 1973	4
The Americans with Disabilities Act	4
<i>Who is protected?</i>	4
<i>Standards of Access</i>	5
<i>Academic Standards Not Affected</i>	5
Rights and Responsibilities	6
Student Rights	6
Student Responsibilities	7
Advisor for Student with Disability Services Responsibilities	7
Accommodations	9
What is a “Reasonable Accommodation”?	9
<i>Procedures</i>	9
<i>Classroom Accommodations</i>	9
Use of Service Animals on Campus	11
Substitute Admissions and Graduation Requirements	12
Documentation Guidelines	15
FAQ’s	16
Grievance Procedures	18
Procedure for Filing a Discrimination Complaint Based on a Disability	18

Introduction

Chipola College is committed to equal access and nondiscrimination, in principle and in practice, for all otherwise qualified students without regard to disability. Chipola College follows the policy found in Section 504 of the Rehabilitation Act of 1973, stating “No otherwise qualified individual with a disability in the United States, as defined in section 705(20) of this title, 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.”

The Office for Student Disability Services supports the mission of Chipola College to provide access to quality learning opportunities toward baccalaureate degrees, associate degrees, and certificates; while facilitating the economic, social, and cultural development of the College’s service area.

The Office for Student Disability Services expects all students to fully participate and self-advocate at Chipola College by building relationships with faculty and staff, creating strategies to achieve academically, and utilizing appropriate services.

Goals for Providing Services to Students with Disabilities

1. To work individually with qualified students with disabilities to provide reasonable accommodations which will allow the student to demonstrate his or her academic capability at Chipola College.
2. To assist qualified students with disabilities through the transition process from high school to Chipola College.
3. To work collaboratively with other areas of Chipola College, including faculty, to ensure equal access for all students.

Responsibilities of Higher Education Related to Legislative Mandates

The Rehabilitation Act of 1973

Title V of the Rehabilitation Act of 1973 is generally regarded as the first national “civil rights” legislation for people with disabilities.

Section 504 is a program access statute. It requires that no otherwise qualified person with a disability be denied access to, the benefits of, or be subjected to discrimination by any program or activity provided by any institution or entity receiving federal financial assistance. (It is this mandate that has promoted the development of disability support service programs in colleges and universities over the last 20 years.) Subpart E of Section 504 deals specifically with institutions of higher education. It requires that an institution (public or private) be prepared to make appropriate academic adjustments and reasonable modifications to policies and practices in order to allow the full participation of students with disabilities in the same programs and activities available to non-disabled students.

The Americans with Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 reinforced the provisions of the Rehabilitation Act by requiring that all public facilities, services, and communications be accessible to persons with disabilities and that auxiliary aids and services be provided unless an undue burden would result.

Who is protected?

Qualified individuals with disabilities are protected under the Americans with Disabilities Act. The definition contains two parts. First, the person must be an individual with a disability as defined under the ADA; second, that person must be otherwise qualified.

A “qualified individual with a disability” means:

1. With respect to educational opportunities, an individual with a disability who meets the technical and academic standards for admission or participation in an educational program or activity.
2. With respect to other services, an individual with a disability who meets the essential eligibility requirements for the receipt of such services.

An individual with a disability is defined as someone who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. Individuals with disabilities may include persons who are mobility impaired, cosmetically disfigured, mentally ill, mentally handicapped, emotionally troubled, or learning disabled. “Major life activities” include caring for self, performing manual tasks, walking, sitting, standing, lifting, reaching, seeing, speaking, breathing, learning, and working.

Standards of Access

The standard for access to programs and services under the ADA for public institutions is that all programs must be readily accessible to, and usable by, qualified persons with disabilities. In addition, qualified students with disabilities must be provided equal services in a setting that is as integrated as possible. The determination of what is an equal and integrated setting will be made on a case-by-case basis. What is appropriate for one person with a specific impairment may not be useful or appropriate for another person with the same impairment.

Academic Standards Not Affected

The ADA does not require colleges or universities to lower academic standards or fundamentally alter the nature of the programs provided. As such, reasonable accommodation does not negate requirements for successful completion of courses and programs, adherence to generally acceptable standards of behavior and the College’s code of conduct, and adherence to faculty directions and instructions.

Rights and Responsibilities

Chipola College neither imposes accommodations on students nor pre-empts a student's responsibility to disclose and define his or her disability and accommodation needs. Self-identifying as a student with a disability and asking for accommodations are personal decisions. If a student requests accommodations at Chipola College, the student is responsible for completing the accommodation process that begins with informing the Office for Student Disability Services of the disability and the need for services. However not every impairment qualifies as a disability protected under the ADA because not every impairment is substantially limiting. In order for a person to be eligible for accommodations, the ADA stipulates that the disability must "substantially limit" a major life activity. Although the Office for Student Disability Services assists students with disabilities with many tasks, it is the responsibility of students to take the initiative and remain actively involved in the accommodation process.

Student Rights

Students with disabilities have the right:

1. To full and equal access to the same educational experience as students without disabilities.
2. To have accommodation requests reviewed and authorized quickly and fairly by the Office for Student Disability Services and instructors.
3. To have their disability documentation be held confidentially and be released only to designate individuals with the student's permission; or to assist in the implementation of accommodations (identifying note-takers for students)

The procedures contained herein are not exclusive of other education-related inquiries that the College, in its discretion, may make as permitted or required by local, state, or federal law and in conformance with The Americans with Disabilities Act of 1990.

Student Responsibilities

1. To self-identify a student's disability and provide professional and appropriate documentation of the disability. (See documentation guidelines for more detailed information)
2. To discuss with the Advisor in the Office for Student Disability Services to discuss appropriate accommodations.
3. To meet with instructors at the beginning of each semester to discuss accommodation needs.
4. To provide timely notification of special needs and changes in accommodation needs/services.
5. To arrange testing accommodations with faculty well in advance of test dates.
6. To notify the Advisor in the Office for Student Disability Services if requested accommodations are not being provided or are not effective.
7. To abide by Chipola College's policies regarding the Academic Honor Code and Code of Conduct.

Advisor for Student with Disability Services Responsibilities

1. Determine, with students, appropriate academic adjustments consistent with the student's documentation.
2. Develop written policies and guidelines regarding procedures for determining and accessing "reasonable accommodations."

In determining the College's ability to offer reasonable accommodations to an otherwise qualified applicant or student with a disability, each request for an accommodation will be evaluated on a case-by-case basis. Factors to be examined include, among others, the essential academic and technical standards requisite for admission or participation in an educational program or activity; the purpose and nature of the course, program, service, or activity; the precise education-related abilities and functional limitations of the applicant or student and how those limitations could be overcome with reasonable accommodations(s); the nature and cost of the accommodation required in relation to the College's financial resources; the consequences and effect financially, educationally and otherwise of such an accommodation upon the operation and educational mission of the College, course,

- program, service and/or activity; and other federal, state, and local regulatory requirements.
3. Maintain confidential records that document the plan for provision of selected accommodations.
 4. Assist students with disabilities in assuming the role of self-advocate.
 5. Provide instruction in learning strategies (e.g., attention and memory strategies, planning, self-monitoring, time management, organization, problem-solving).
 6. Meet with prospective students and their parents/guardians to discuss services available at Chipola College.
 7. Establish rights and responsibilities with respect to service provisions for students with disabilities.
 8. Develop and implement the disability support services for Chipola College.
 9. Provide advising with faculty and staff regarding accommodations, compliance with legal responsibilities, as well as instructional, programmatic, physical, and curriculum modifications.
 10. Provide disability awareness training for campus constituencies.

Accommodations

What is a “Reasonable Accommodation”?

A "reasonable accommodation" is defined as any change in an environment or in the way things are customarily done that enables a qualified individual with a disability to enjoy equal opportunities. Offering reasonable accommodations is one of the requirements of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973, as amended.

Procedures

1. The student is responsible for self-identifying with the Advisor in the Office for Student Disability Services and meet to discuss accommodations that would be helpful for the student.
2. The student is responsible for providing professional and appropriate documentation as outlined in the documentation guidelines in this handbook.
3. The student requesting classroom accommodations must contact faculty members at the beginning of each new term and follow the classroom accommodations procedures outlined below.
4. If the student is determined to be non-disabled, no offer of reasonable accommodations shall be made.

Classroom Accommodations

Accommodations for qualified students provided through the Office for Student Disability Services may include, but are not limited to, the following:

- Priority seating in the classroom
- Modified furniture
- Lecture outline copy
- Tape recording of lectures
- Classroom assistant
- Private testing in the Testing Center
- Reduced course load
- Use of computer in place of handwriting
- Enlarged print on exam questions or lecture notes
- Assistance in identifying tutors and note takers
- Closed captions for lecture videos
- Extended time on writing assignments, tests, and exams

Chipola College is not required to offer or provide an accommodation, to admit or to continue to admit an individual with a disability to any particular course, program, or activity, or to provide educational opportunities and other services when: (i) an accommodation would substantially modify the educational standards or mission of Chipola College, (ii) an accommodation would fundamentally alter the nature of the program, activity, or service, (iii) taking into account the disabled student's qualifications along with the requested accommodation, he or she is not otherwise qualified to meet the academic and technical standards requisite for admission or participation in an educational program or activity, (iv) taking into account the student with disabilities' qualifications along with the requested accommodation, he or she is not otherwise qualified to meet the essential eligibility requirements for receipt of other services, (v) reasonable accommodation would not overcome the effects of the student's disability, (vi) reasonable accommodation would not enable the individual to complete a course, degree program, or activity, (vii) an accommodation would cause an undue hardship on the College, or (viii) with respect to accommodation(s) mandated by the Americans with Disabilities Act, even with the reasonable accommodation, the individual would still pose a direct threat of substantial harm to the health and safety to self or others.

Accommodation(s) will not be offered that would substantially modify the educational standards, operation, and/or mission of Chipola College. An accommodation that would be unduly costly, extensive, substantial, or disruptive or that would fundamentally alter the nature of the course, program, service, or activity offered by the College would constitute such a substantial modification. If the College determines that an accommodation would cause substantial modifications, the applicant or student requesting the accommodation may be given the option of providing needed accommodation or paying the portion of the cost which constitutes the undue hardship or substantial modification.

Use of Service Animals on Campus

Chipola College does not permit animals on any grounds or in any college building, except as otherwise provided, for reasons of safety and health. The Board of Trustees delegates to the President or designee the authority to establish college procedures related to service animals and other animals on campus.

Service animals as defined by the Americans with Disabilities Act (ADA) are welcome on campus and at all Chipola College functions, activities, and programs.

The Americans with Disability Act (ADA) 2010 Regulations and Florida Statute 413.08 defines a “service animal” as an animal that is trained to work or perform tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability (1)(d). The term “service animal” is limited to a dog or miniature horse (1)(d). The crime-deterrent effect of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for purposes of Florida Statute 413.08(2)(3).

A student with a disability that is accompanied by a service animal on campus is entitled to full and equal accommodations, advantages, facilities, and privileges in all aspects of college life. The service animal must be under the control of the handler and must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use such device or if such device would interfere with the service animal’s safe, effective performance of work or tasks. However, the service animal must be under the handler’s control by means of voice control, signals, or other effective means at all times (3)(a).

Documentation that a service animal is trained is not a precondition for providing service to a student accompanied by a service animal. To determine the difference between a service animal and a pet, the Advisor for Student Disability Services may ask if the animal is a service animal required because of a disability and what works or tasks the animal has been trained to perform (3)(b).

Any student inquiring about the use of service animals on campus should contact the Advisor for Student Disability Services and provide appropriate documentation as outlined in the documentation guidelines in this handbook.

Substitute Admissions and Graduation Requirements

Chipola College shall use the following policy to substitute admissions and graduation requirements for disabled students, in accordance with Florida Statute 1001.64; 1007.263(5); 1007.264; 1007.265; 6A-10.041(1)(2) FAC.

- 1. Identification of Eligible Student for Reasonable Substitutions** – Anyone who identified himself or herself as having one or more disabilities will be referred to the Advisor for Student Disability Services who will provide counseling and assistance in planning a program of study containing reasonable course substitutions as may be appropriate (2)(a). As specified in the rule, students eligible for substitutions are those who have documented deaf/hard of hearing impairments (1)(a), visual impairments (1)(b), specific learning disabilities (1)(c), orthopedic impairment (1)(d), speech/language impairment (1)(e), emotional or behavioral disability(1)(f), autism spectrum disorder (1)(g), traumatic brain injury(1)(h), intellectual disability (1)(i), other health impairment (1)(i). Students who request substitutions must provide written documentation about their disability from an appropriate agency, medical doctor, or other licensed expert. The documentation must be based on appropriate, comprehensive evaluations that are no more than three years old. This documentation is needed in order to qualify students for reasonable and appropriate accommodations (2)(d). Chipola is not required to provide “best” or “most desired” accommodations, but rather a reasonable accommodation sufficient to allow the student the ability to enjoy equal access to college facilities, programs, and activities.
- 2. Identification of Reasonable Substitutions for Admission to the College, Admission to a Program of Study, or Graduation** – Chipola College is committed to equal educational opportunities for all students. The College has an Open Door policy and does not discriminate on the basis of race, color, sex, age, national origin or disability in its admission and treatment of students. Having a disability does not prevent a student from being admitted to Chipola College.

The Registrar determines eligibility for admission to Chipola College. Prospective students are advised that the College encourages voluntary self-identification of any disabilities that may prevent them from meeting requirements for admission to the College, admission to a program of study, or graduation. Students are advised that support services are available to meet their special needs. Students who qualify for a course substitution would be exempt from college preparatory requirement in the basic skill area for which the student is eligible for a course substitution, provided that successful completion of the college course work isn't considered an essential part of the curriculum in the student's academic program (4).

3. **Development of the Designated Substitutions Known to the Affected Persons** – Chipola College will establish a committee to develop reasonable and appropriate substitutions; it will be chaired by the Advisor for Student Disability Services. Additional members of this committee will include Senior Vice President of Instruction, Vice President of Student Affairs, College Equity Officer, a member of the mathematics department, and a member of the English department. A student requesting special program/course consideration must submit a “Course Substitution Request Form” to the Advisor for Student Disability Services for consideration.

4. **Making Substitution Decisions on an Individual Basis** – When a student requests, in writing, a reasonable substitution and has been determined eligible for substitutions based on documentation of his/her disability, the committee described in Mechanism (3) of this policy will review the request of each individual student based on student request, program of study, and review of student records. Students requesting substitutions or special considerations will be contacted personally by the Advisor for Student Disability Services or the Vice President of Student Affairs and advised on the actions that have been taken by the committee described in Mechanism (3) of this policy. Once the committee has made a determination concerning the course substitution, a written copy will be given to the student, the Vice President of Student Affairs and Advisor for Student Disability Services (2)(c). The Advisor for Student Disability Services will provide to the student written notification of any reasonable course substitutions(2)(c)(2)(d).

5. **Appeal of a Denial of a Substitution or to Appeal a Determination of Ineligibility** – Students who wish to appeal a denial of substitution or appeal a determination of ineligibility should submit a letter to the Vice President of Student Affairs, who will process the appeal through the established student grievance procedure. “The Student Rights and Responsibilities” published in the College Catalog outlines the grievance procedure (2)(e).

6. **Record Keeping** – Records shall be maintained on the number of students granted substitutions by type of disability, the substitutions provided, and the number of requests for substitutions that were denied. The Advisor for Student Disability Services will maintain all necessary records (6).

7. **Articulation with Other State Institutions** - Chipola College will accept substitutions previously granted by other Florida post-secondary institutions in compliance with Rule 6A-10.041(3) FAC. Documentation for substitutions made at outside institutions that are in compliance with Rule 6A-10.041 FAC should be requested by the transferring student and sent from the granting institution to the Registrar. The process will follow the steps listed. When Chipola College grants a course substitution, the student will be advised to contact the Advisor for Student Disability Services should he or she need assistance when transferring to another institution. The Advisor for Student Disability Services will work with each individual student and advise the student concerning university expectations and possible responses regarding the substitution policy (3). Implementation of this rule is coordinated by the Commissioner of Education along with The Chancellor of The State University System who coordinates the technical assistance in the implementation of this rule (5).

Documentation Guidelines

Under the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973, individuals with disabilities are guaranteed certain protection and rights to accommodations based upon documentation. The documentation must indicate that the disability substantially limits some major life activity. The following guidelines are provided in the interest of accommodations, academic adjustments, and/or auxiliary aids.

- Documentation must be from a licensed professional, qualified in the appropriate specialty area for which accommodations are being requested. Submission of raw test score data would be helpful but is not required. 504 Plans and IEP's are not considered appropriate documentation.
- Documentation must be less than three years old. However, the College may use its discretion in cases in which the condition is considered permanent and the documentation is greater than three years old.
- Documentation must include specific diagnostic information (e.g., DSM-IV multiaxial diagnosis).
- Documentation must clearly state the reasonable accommodations being requested. In addition, the documentation must provide a clear rationale for each accommodation being requested. All accommodations are determined based upon the impact of disability on a student's academic performance.
- As indicated, documentation should discuss the impact of medication on the student's ability to function in an academic environment.
- As indicated, documentation should discuss the impact of other treatments on the student's ability to function in an academic environment.
- In some circumstances, it may be warranted to provide accommodations on a provisional basis; for example, if it has been established that a student has a disability but more current information on functioning is needed. Such decisions are made at the discretion of the Office for Student Disability Services on a case-by-case basis.

FAQ's

1. How are services for students with disabilities at Chipola College different from services provided in high school or from other institutions?

Students should not assume that accommodations provided at one school will be provided at Chipola College. Accommodations are approved on a case-by-case basis and must be consistent with the College's academic goals and standards. A student's request, documentation, and past educational experiences will all be taken into consideration when determining the appropriate accommodations. Ultimately, college students are solely responsible for the success of their college career.

2. Are 504 Plans and IEP's (Individualized Education Plans) acceptable documentation of a disability at the college level?

504 Plans and IEP's are not considered acceptable documentation, but are useful in understanding prior academic experiences of the student. Testing used to document a disability must be current (usually within three years) and administered by a qualified professional. Testing and evaluation determining a substantially limiting disability must meet the Documentation Guidelines as outlined in this handbook and deemed adequate by the College.

3. What is considered acceptable documentation?

Documentation must be current, be completed by a qualified professional, and explain the 'substantial limitations' as a result of the disability, and provide accommodation recommendations. If you are unsure whether your documentation is current, please consult with the Advisor for Student Disability Services. Chipola College reserves the right to determine the adequacy of submitted documentation and to require additional documentation and/or testing.

4. Are there special disability advisors for students with disabilities at Chipola College?

Chipola College provides a Student Advisor primarily assigned to work with students with disabilities in preparation of class scheduling, establishing accommodations, and monitoring their academic progress.

5. I believe I have a disability but no current documentation. What should I do?

If you have not received an evaluation or your documentation is determined to be outdated, Chipola College can assist in obtaining information about local practitioners who can perform the evaluation. All costs incurred for obtaining appropriate documentation are your responsibility.

6. Who do I share my disability documentation with and when?

Chipola College students should contact the Office for Student Disability Services as soon as possible to determine what services and accommodations may be available. If you are a perspective student to Chipola College, you should arrange a meeting with the Advisor for Student Disability Services to discuss your documentation and potential services available. Students with disabilities accepted to Chipola College should contact the Office for Student Disability Services as soon as possible to discuss the coordination of services.

7. What types of classroom accommodations are considered?

Accommodations may include, but are not limited to, extended time or alternate testing locations, note takers, test proctoring, and textbooks on tape. At Chipola College, tutoring services are available to all students free of charge.

8. I think I have a disability that interferes with my academic performance but I have never been tested. What should I do?

The Advisor for Student Disability Services can help students by discussing what the interferences are and whether possible study or time-management strategies may help. If necessary, the Advisor can refer the student to a practitioner who can complete the evaluation. Please refer back to the Documentation Guidelines for more information on acceptable evaluations for disabilities.

Grievance Procedures

Chipola College supports students in their right to file a grievance when they believe they have been denied equal access in the form of appropriate accommodations, modifications, auxiliary aids, or effective communications or suffered discriminatory harassment. The general grievance procedures, which apply to all students, are available to students with disabilities.

Procedure for Filing a Discrimination Complaint Based on a Disability

These procedures were established to comply with the ADA's mandate to "provide for prompt and equitable resolution of complaints alleging any action that would be prohibited."

An individual who:

1. Believes he or she has been discriminated against on the basis of their disability;
2. Whether disabled or not, believes that he or she has been discriminated against based on an association with a person with a known disability;
3. Wishes to appeal a recommended accommodation; or
4. Wishes to file a complaint and/or grievance regarding the College's compliance with ADA can file a complaint with the College's Equity Officer.

To file a complaint alleging discrimination, an individual is required to submit in writing by the student to the College Equity Officer. The complete formal grievance procedure can be found in the Chipola College Student Handbook. The following information should be included in the notification:

1. The nature of the complaint;
2. Date(s) of alleged incident(s) or disagreement(s);
3. Information about attempts to resolve the complaint informally with the Advisor in the Office for Student Disability Services and the Vice President for Student Affairs;
4. Identification of witnesses who have knowledge of the alleged discrimination.

If it is determined that Chipola College policy was violated, a remedy to the problem will be offered. If it is determined that there was no violation, the complainant will be informed and other options for possible resolution of the complaint will be explained. As with all other discrimination cases, there is no barrier to an individual bringing his or her concerns.