

# **COLLEGE OF THE DESERT**

## ***Disabled Students Programs & Services***

# **DSPS STUDENT HANDBOOK**

This handbook is available in alternative formats upon  
request

July 2002

You are:

The most important person on our campus.  
Without you, there would be no need  
for us.

You are not an individual to be tolerated as  
we go about our business...  
You are our business.

Not totally dependent on us –  
but our jobs are  
totally dependent on you.

Not an interruption of our work,  
but rather, the purpose of it.

# TABLE OF CONTENTS

<b>INTRODUCTION</b> .....	1
<b>COLLEGE SELF-ADVOCACY</b> .....	2
<b>RIGHTS OF STUDENTS WITH DISABILITIES-LEGAL ASPECTS</b> .....	3
<b>DIFFERENCES BETWEEN SECONDARY EDUCATION &amp; HIGHER EDUCATION/COLLEGE EDUCATION</b> .....	4
<b>ELIGIBILITY</b> .....	5
<b>ACCOMMODATION and SUPPORT SERVICES</b>	
Counseling .....	7
Priority Registration .....	7
Readers .....	7
Mobility Assistance .....	7
Scribes .....	8
Notetakers .....	8
Interpreters .....	8
Video Captioning .....	9
Tutors .....	9
Alternative Media .....	9
Test-Taking Accommodations .....	10
Specialized Equipment .....	10
Learning Disabilities Services .....	11
High Tech Center Services .....	11
Adapted Physical Education Services .....	12
WorkAbility III Services .....	12
Liaison and Referral to Resources On/Off Campus .....	12
<b>SAMPLE ACADEMIC ACCOMMODATIONS DIALOGUE</b> .....	13
<b>POLICIES and PROCEDURES</b>	
Standards of Student Conduct .....	15
Student Grievance Procedures .....	17
Policy on Academic Accommodations .....	19
Procedure for Academic Accommodations Review .....	20
Policy for Substitution of a Course Requirement .....	21
Procedure for Substitution of a Course Requirement .....	21
Policy and Form for Tape Recording Lectures .....	22
Student Agreement for Taping Lectures .....	22
Policy for Service Animals .....	23
Procedure for Service Animals .....	23

## INTRODUCTION

### ***Welcome to the Desert Community College District!***

In accordance with current federal and state legislation, each student with a disability is afforded an equitable opportunity to participate in the mainstream of the college district's programs, activities and classes. The office of Disabled Students Programs and Services (DSPS) is committed to assisting students with disabilities in achieving individual educational goals by providing the services and programs needed to participate in the regular college classroom.

The student is presumed to have independent living skills to provide for his/her personal needs on campus. Because this is not considered an academic accommodation, the student must provide a personal attendant or mobility aide at their own expense, if one is needed.

The accommodations and services outlined in this handbook are designed to allow equal access to the campus and everything it offers. The Handbook describes the programs and services offered by Disabled Students Programs and Services and the procedures needed to be followed to access them. Academic accommodations for disabilities are not a special privilege – they are an individual's right under the law.

If you would like to apply for assistance, please contact us at:

Palm Desert Campus  
43-500 Monterey Avenue  
Palm Desert, CA 92260  
Voice: 760.773.2535  
TDD: 760.773.2598  
FAX: 760.776.0198

## COLLEGE SELF-ADVOCACY

### You need to:

- take control of your life and develop independence
- understand your abilities and disabilities, and be aware of the accommodations you will need
- learn to be your own advocate by expressing your needs clearly to the Disabled Students Programs and Services staff and to your instructors early in the semester
- arrange for needed accommodations such as: books on tape, e-text, tape recorders, adaptive listening devices, interpreters, and note takers
- take advantage of classes that offer instruction in basic skills, study skills, time management, stress reduction, and career planning
- use a calendar to record all appointments, test dates, and assignment due dates
- plan a reasonable school, study, and work schedule
- sit near the front of the room to help eliminate distractions
- go to all classes, be on time, take notes, and participate
- plan on spending two to three hours of studying for every hour in class
- organize long-term projects in a step-by-step fashion
- request permission to use test taking accommodations
- balance your schedule by allowing time for rest and recreation

## **THE RIGHTS OF STUDENTS WITH DISABILITIES LEGAL ASPECTS**

Colleges must take steps to ensure that students with disabilities are not excluded from programs because of the absence of educational accommodations. Federal law states that “No otherwise qualified handicapped individual in the United States...shall, solely, by reason of his handicap, 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 more recent Americans with Disabilities Act of 1990 offers federal civil rights protection. It prohibits excluding individuals with disabilities from jobs, services, activities or benefits based on disability.

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. Title II of the ADA prohibits state and local governments, and educational institutions from discriminating against disabled people in their programs and activities. New and renovated commercial buildings must be accessible

**DIFFERENCES BETWEEN SECONDARY EDUCATION &  
HIGHER EDUCATION/COLLEGE EDUCATION**

<b>K-12</b>	<b>Higher Education/College Education</b>
IDEA	<i>Title 5 Privilege, not a right</i>
District identifies disability	<i>Student responsible to provide appropriate documentation that establishes: 1. Current verification of disability 2. Classroom limitation requiring accommodation.</i>
Free evaluation	<i>Student's financial responsibility</i>
District plans Educational Plan	<i>Student identifies own needs</i>
District ensures that the I.E.P. is implemented and goals are met.	<i>Student is responsible for own goals and progress</i>
Teacher advocates for student	<i>Student advocates for self</i>
Fundamental alterations are allowed to the: 1. program of study 2. graduation requirements 3. instructional methods	<i>Accommodations may NOT alter fundamental nature of degree applicable courses or degree requirements or instructional methods</i>
Personal services provided	<i>None Student's responsibility</i>
Success (more of a right)	<i>NO GUARANTEE</i>
Transportation to and from school	<i>None provided</i>

## **ELIGIBILITY**

### **STUDENTS MUST HAVE A DOCUMENTED DISABILITY.**

#### **What is a disability?**

The Americans with Disabilities Act of 1990 defines a person with a disability as someone who has a “physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or is regarded as having such an impairment. Persons must have substantial, as distinct from minor, impairments that limit major life activities such as seeing, hearing, speaking, walking, breathing, performing manual tasks, learning, caring for oneself, and working.”

### **STUDENTS MUST APPLY IN THE DSPS OFFICE FOR SERVICES**

Students may request services or may be referred by instructors, outside agencies, other educational institutions or other appropriate professionals.

Procedures:

1. Make an appointment with the appropriate DSPS Counselor
2. Obtain and complete the Intake Application and Release of Information Form
3. Provide professional verification of disability

**Note:** Each semester students must meet with the appropriate DSPS Counselor to determine needed services.

### **STUDENTS MUST MEET THE FOLLOWING CRITERIA**

***To be recommended for DSPS support services and/or special instruction, a prospective student must demonstrate the following abilities:***

1. Potential to benefit from instruction in a group setting
2. Ability to do simple work independently with some cues/assistance
3. Ability to follow directions and to attend to learning tasks for a reasonable period of time

4. Adequate attention span to profit from an hour of continuous instruction in a setting with distractions
5. Sufficient language comprehension skills to benefit from the education program
6. Ability to perform meaningful classroom activities, using some form of both receptive and expressive language
7. Behavior and emotional responses which are usually appropriate to the situation
8. Sufficient independent living skills to allow independent on-campus function, unless routinely accompanied by a personal assistant to perform necessary "activities of daily living" functions.

***Repeated absences, misuse of services, lack of measurable progress toward goals identified in the Student Education Contract and/or inappropriate behavior as identified in the Student Code of Conduct may result in termination of services and/or instruction from DSPS.***

# **ACCOMMODATIONS and SUPPORT SERVICES**

## **COUNSELING**

Personal, academic, vocational and disability management counseling are available with a DSPS Counselor on an appointment basis from 8:00 am – 5:00 pm, Monday through Thursday, and 8:00 am – 12:00 noon on Friday. Students needing evening appointments must make special arrangements with the DSPS Office. Walk-ins are limited to time available.

## **PRIORITY REGISTRATION**

All students with disabilities who require the coordination of support services for effective classroom participation should register through the DSPS Office. Priority registration for students with disabilities begins the first day of registration for the up-coming semester.

**Note:** Students needing registration assistance may make an appointment with the appropriate DSPS Counselor.

## **READERS**

Reader services may be provided through DSPS and/or the Department of Rehabilitation to students with visual impairments or learning disabilities in the following situations:

- Accommodated testing
- Library research
- In-class reading assignments

Students needing reader services must contact the appropriate DSPS Counselor to make arrangements. Reader services outside the classroom will be provided by the Department of Rehabilitation for their students/clients.

## **MOBILITY ASSISTANCE**

Mobility assistance is provided for in-classroom support and access. DSPS does not provide personal attendant care. Students needing mobility assistance must contact the appropriate DSPS Counselor to make arrangements.

## **SCRIBES**

Scribes (WRITERS) for accommodated testing are provided for those students whose ability to write is restricted. Students needing a scribe must contact the appropriate DSPS Counselor to make arrangements.

## **NOTETAKERS**

Notetaking services are provided to those students whose disability limits their ability to take effective classroom notes. A DSPS Counselor must approve a student's eligibility for this service based on the limitations of the specific disability. Students seeking notetaking services should:

- Contact the DSPS Office for approval to receive notetaking services
- After approval, students can make a request for a note taker in class, ask the instructor to make the request, or ask a friend
- The student takes the identified notetaker to the DSPS Office for registration and instructions

**Note:** Having a note taker is not a substitute for attending class.

## **INTERPRETERS**

Interpreters will be provided through the DSPS Office for students who are hearing impaired. Not all hearing impaired students choose interpreter services as a mode of communication. For those students, alternative communicative services are provided in consultation with the students. **Students needing interpreter services should contact the DSPS Office and complete the registration process at least one month prior to the beginning of classes.**

The DSPS Counselor will make every reasonable effort to provide competent interpreters. Due to a severe shortage of interpreters, services may not always be available at the time requested. Student options include: 1) choosing to take another section of the class when an interpreter is available, or 2) choosing to take the class with a note taker and tutor, but without an interpreter.

The following procedures will be followed:

- Interpreters will wait only **15 minutes** for the student.
- If the interpreter does not arrive at the agreed upon time, the student should contact the DSPS Office.

- When the student is unable to attend class, they must notify the DSPS Office immediately for cancellation of interpreter service.
- **Accumulation of three (3) unreported absences during one semester could put the continuance of interpreter services at risk.**

## **VIDEO CAPTIONING**

Students who are hearing impaired may request that any videos shown in their classrooms be captioned. It is the responsibility of the instructor to make the videotapes available to the DSPS Office for captioning.

## **TUTORS**

Tutorial assistance in English and Math is available to all students through the Academic Skills Center. However, those students with special learning needs may receive individualized tutoring coordinated through the DSPS Office. Students with disabilities seeking individualized tutorial services must begin by contacting the appropriate DSPS Counselor to determine eligibility. Students determined to be eligible will receive a signed Tutorial Request card, which is to be taken to the Academic Skills Center for processing. Most individualized tutorial sessions are limited to three (3) hours per week, per subject. However, the number of hours is individually based on disability-related needs.

The following procedures will be followed:

- Tutor and Tutee maintain established hours for the tutorial on campus.
- Tutor and Tutee will wait a maximum of 15 minutes for an appointment. Failure to meet the scheduled time must be reported by either party to the Tutorial Coordinator in the Academic Skills Center.
- **Accumulation of three (3) reported absences during one semester could put the continuance of tutoring services at risk.**

## **ALTERNATIVE MEDIA**

Requests for materials in alternative format will be considered on a case-by-case basis. Students in need of text in large print, various e-text formats or books-on-tape must request this accommodation, specifying the desired format. Students must discuss the appropriateness of the request with the Alternative Media Specialist. Students must own a copy of the textbook for all e-text or e-text conversions. **Allow a minimum of 3 weeks for alternative media.**

## **TEST-TAKING ACCOMMODATIONS**

The DSPS Office maintains the integrity of the test-taking environment for students in need of physical assistance, a distraction-free environment, a test-reader, or extended time when taking tests. The student must:

- see the appropriate DSPS Counselor to determine eligibility and arrangements;
- make arrangements with the DSPS Office for each test to be accommodated. The student must provide as much advanced notice as possible. **ACCOMMODATIONS MAY NOT BE MADE ON THE SAME DAY REQUESTED;**
- obtain an Instructor Notification Form for Testing Accommodations from the DSPS Office and give to the instructor. The instructor specifies the kind of test, (ex: open book, scantron) and how the test is to be returned, (ex: fax, instructor pick-up, or student delivery in a sealed envelope). The instructor delivers the Notification form for Testing Accommodations with the test to the DSPS Office.

## **SPECIALIZED EQUIPMENT**

Specialized equipment supports the student with a disability in the regular classroom. At College of the Desert, no equipment is personalized but is generally available to any qualified student with a disability as mutually determined by the DSPS Counselor and the student. **Equipment is loaned on a semester basis, to be returned by the last day of finals. Equipment that has not been appropriately returned will result in a “hold” being placed on the student’s grades, on financial aid payments and on all other records, barring the student from the registration process or graduation ceremonies.**

Students must be trained to use specialized equipment before it will be loaned. Equipment available includes:

- Tape recorders
- Adaptive listening devices (ALD)
- Magnification devices
- AlphaSmart 3000

Other accessible equipment available in campus computer labs includes:

- Closed-circuit TV
- Voice recognition system
- Adaptive computers and specialized software
- Adaptive workstations
- Adaptive keyboards and mice

## **LEARNING DISABILITIES SERVICES**

Students with learning disabilities are required to complete the assessment process as defined by Title V. **Since the availability of testing time is limited, it is important that students plan ahead by at least one semester.** Students may be prioritized for testing as follows:

- Full time students
- Part time students

Eligible students with learning disabilities are provided numerous services including:

- Use of calculator when mathematical disability is severe
- Use of a dictionary/spell checker for essay exams
- Specialized tutoring
- Tape recording of lectures
- High Tech Center resources
- Books on tape or e-text
- Accommodations for exams

## **HIGH TECH CENTER SERVICES**

The High Tech Center is a state-of-the-art computer lab where students with verified disabilities can learn to access the latest adapted hardware and software technologies. These technologies allow students to increase productivity, work independently, and foster academic success in their regular college curriculum. Available equipment includes:

- Adaptive keyboard and mouse
- Screen readers
- Screen enlargers
- CCTV's
- Voice recognition software
- Scanners

- Academic software
- Interactive software
- Memory skill software

### **ADAPTED PHYSICAL EDUCATION SERVICES**

Students with disabilities who cannot participate in or benefit from offerings in the regular physical education program are provided with individualized adapted physical education classes. A student's functional limitations are assessed by an Instructional Specialist and a program of physical activities is developed. Adapted equipment and special services are provided as needed.

### **WORKABILITY III SERVICES**

WorkAbility III (WAIll) offers a variety of services through a contract with the Department of Rehabilitation (DR) for their clients. All DR clients, who are COD students, are automatically participants in WorkAbility III. Services include career exploration; job seeking skills, volunteer and internship placement, job club, job placement and follow-up services. Academic progress will be monitored.

### **LIAISON AND REFERRAL TO RESOURCES ON/OFF CAMPUS**

The DSPS Office regularly maintains liaison and referral services with the following:

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>▪ State Department of Rehabilitation</li> <li>▪ Department of Social Services</li> <li>▪ Employment Development Department</li> <li>▪ Braille Institute</li> <li>▪ Psychological Services</li> <li>▪ Support Groups</li> <li>▪ CARE/EOPS</li> <li>▪ CalWORKS</li> </ul> | <ul style="list-style-type: none"> <li>▪ DSPS Services at:           <ul style="list-style-type: none"> <li>California Community Colleges</li> <li>California State Universities &amp; Colleges</li> <li>Universities of California</li> <li>Private Colleges and Universities</li> </ul> </li> <li>▪ Department of Mental Health</li> <li>▪ District High Schools</li> <li>▪ Project ACCESS</li> </ul> |
|--|---|

## SAMPLE ACADEMIC ACCOMMODATIONS DIALOGUE

**Student:** I'm \_\_\_\_\_. I have a verified disability. Here is my paperwork, which verifies my disability and shows authorized academic accommodations. My disability causes \_\_\_\_\_, which means I need \_\_\_\_\_ in order to have the same opportunity to learn in lecture/lab, as the student without disabilities and to show what I know on tests.

**Student:** I'd like to discuss (include only those that apply to you):

**Getting a notetaker:** I need your help in finding a student who takes good notes in this class. Disabled Students Programs and Services will provide carbonless copy paper. The notetaker uses this paper for his/her class notes. I get one copy, and the student keeps the other. Would you help me find someone who takes good notes?

**Tape recording a lecture:** I have a tape recorder to record your lecture. It will be used only by me in my studies for your class. I am authorized to use a tape recorder. Would this be agreeable to you?

**Extended test time:** I need to discuss the accommodation of extended test time. College campuses provide 1 ½ to 2 times the usual time allowed. Disabled Student Services does offer someone to oversee or proctor tests in their offices. I can arrange to take the tests through their offices, or we can work out extra time at a time and place you suggest. How would you like to arrange this?

**Quiet environment:** Because I am easily distracted, I need to take tests/quizzes in a quiet environment. Once again, I can use Disabled Student Services, or we can choose another quiet spot.

**NOTE:** Practice what you are going to say to your instructors. BE POLITE. You are asking them to agree to your accommodations. You should discuss and work out the accommodations together. If instructors do not agree to your accommodations, then politely thank them for their time, leave and contact your DSPS Counselor. You have the right to have a decision reviewed if reasonable accommodations are not allowed. For additional information, contact Disabled Students Services.

**DSPS  
POLICIES  
And  
PROCEDURES**

## **STANDARDS of STUDENT CONDUCT**

The following conduct shall constitute good cause for discipline, including but not limited to the removal, suspension or expulsion of a student.

1. Causing, attempting to cause, or threatening to cause physical injury to another person.
2. Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a district employee, which is in concurrence with the college president.
3. Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the California Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code, Section 11014.5.
4. Committing or attempting to commit robbery or extortion.
5. Causing or attempting to cause damage to district property or to private property on campus.
6. Stealing or attempting to steal district property or private property on campus, or knowingly receiving stolen district property or private property on campus.
7. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.
8. Committing sexual harassment as defined by law or by District policies and procedures.
9. Engaging in harassing or discriminatory behavior based on race, sex, religion, age, national origin, disability, or any other status protected by law.

10. Willful misconduct which results in injury or death to a student or to college personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.
11. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.
12. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.
13. Dishonesty; forgery; alteration or misuse of college documents, records or identification; or knowingly furnishing false information to the District.
14. Unauthorized entry upon or use of college facilities.
15. Lewd, indecent or obscene conduct or expression on college-owned or controlled property, or at college sponsored or supervised functions.
16. Engaging in expression which is obscene, libelous or slanderous, or which so incites students as to create a clear and present danger of the commission of unlawful acts on college premises, or the violation of lawful college regulations, or the substantial disruption of the orderly operation of the college.
17. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.

*Desert Community College Statement  
Policy Statement # 5026*

## STUDENT GRIEVANCE PROCEDURES

If a student has a reason to believe that he or she has been unfairly treated, and wishes to bring charges against a member of the academic community, the following procedures are followed with respect to the faculty and/or administrators:

**CAUSE:** Within fifteen (15) school days from the time of the alleged grievance, any student who has reason to believe that he/she has been unfairly treated may initiate grievance procedures against the staff member in question.

### PROCEDURES:

- A. The student shall first discuss the matter with the staff member in question. If, however, the student cannot discuss the matter with the staff member, or if the student is not satisfied with the discussion, he/she may then:
  1. Within five (5) days after consulting or attempting to consult with the staff member, bring the matter to the attention of the staff member's division chairperson or immediate supervisor. This notification shall be in writing. The division chairperson or immediate supervisor will attempt to resolve the matter within five (5) school days. The division chairperson or immediate supervisor shall communicate a decision to the student and staff member. If, however, the student is not satisfied, he or she may then, within ten (10) school days:
- B. Bring the matter to the attention of the Dean of Student Services, or designee, who shall, after conferring with the student, call either an informal or formal hearing according to the nature of the complaint, within ten (10) school days.
  1. An informal hearing will be between the student and other appropriate school representatives. If the student is satisfied with the outcome of the informal hearing, the process could end.
  2. A formal hearing will consist of the student, and if appropriate, his or her on-campus advocate, the accused and his or her on-campus advocate, the Vice President of Students' Services or designee, a division chairperson from the division of the accused, and four (4) neutral faculty members, two (2) selected by the student, and two (2) selected by the accused.

3. If the results of either the informal or the formal hearing are not satisfactory to the student, within ten (10) school days of receiving that decision, the student desiring further appeal shall:
  - D. Within ten (10) school days of receiving that decision, the student desiring further appeal shall go to the college President who shall then render a decision within ten (10) school days.
  - E. Within ten (10) school days of receiving that decision, the student desiring further appeal would appeal to the Board of Trustees for a final decision to be made within thirty (30) school days.
  - F. The intent is to ensure that each and every step will take place as expeditiously as possible.

*Desert Community College Statement  
Policy Statement #5022*

## **POLICY ON ACADEMIC ACCOMMODATIONS**

The fundamental principles of nondiscrimination and accommodation in academic programs were set forth in the implementing regulations for Section 504 of the Federal Rehabilitation Act of 1973, and the Americans with Disabilities Act. These regulations provide that:

(An institution)...shall make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped applicant or student...Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution or specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted. (Federal Rehabilitation Act of 1973, Federal Register, May 4, 1977, p. 226684)

Based on Section 504 of the Federal Rehabilitation Act of 1973 and the Americans with Disabilities Act, 1990, students with verified disabilities have the right to receive reasonable academic accommodations.

Reasonable academic accommodations are determined in consultation with the student and the appropriate Disabled Students Programs & Services specialist. Where there is a difference of opinion between a faculty member and student regarding an academic accommodation, there is a timely review procedure. The purpose of the review procedure is to determine if the particular accommodation is reasonable given the student's disability and the instructor's course content with respect to the ADA and Section 504. The accommodation must ensure access for the student with a disability to meet the academic standards of the course, while maintaining the integrity of the course content.

## **PROCEDURE FOR ACADEMIC ACCOMMODATIONS REVIEW**

Students with verified disabilities have the right to receive academic accommodations. After an evaluation of the student's functional limitations, the appropriate Disabled Students Programs & Services (DSPS) specialist and the student will determine needed academic accommodations. The student will notify the instructor of needed accommodations by providing him/her with a Faculty Notification Form signed by the appropriate DSPS specialist.

Should a disagreement arise about a particular academic accommodation, the instructor should go to the DSPS specialist for advice and/or clarification. If the matter is not resolved through this informal process, within five (5) instructional days following the request for resolution of a dispute regarding the accommodation, the student can request a review by the Academic Accommodations Panel.

This panel will consist of the ADA/504 Officer, the Affirmative Action Officer, the Director of Disabled Student Services, the Dean of Student Services and a subject matter expert. The role of the Academic Accommodations Panel is to review the disputed academic accommodation with respect to the ADA and Section 504. The accommodation must ensure access for the student with a disability to enable him/her to meet the academic standards of the course, while maintaining the integrity of the course content. This hearing will follow College of the Desert's formal grievance hearing procedures. During the review period, the Coordinator of DSPS shall solely have the authority to designate the accommodation to be used in this interim period. (Title V, Section 56027.)

Within five (5) instructional days of the hearing, the Academic Accommodations Panel will render a decision. The ADA/504 Officer will prepare a written decision. This document will include the accommodations under dispute, a summary of the evidence and the panel's recommendations. These findings will be submitted to the instructor and student. While the district is ultimately responsible for providing academic accommodation, an instructor may be held personally liable for not allowing an accommodation. (Wood v. Strickland, 1979).

*College of the Desert*  
**POLICY FOR SUBSTITUTION OF A COURSE REQUIREMENT  
FOR STUDENTS WITH DISABILITIES**

College of the Desert (COD) is committed to the belief that all graduates must perform at a level of competency required by Title V of the California Code of Regulations and complete the courses required for graduation. The college recognizes that most students with disabilities are able to complete this "same manner" demonstration of competency and the required course work by utilizing appropriate accommodations. Therefore, for most students with documented disabilities, the first level of accommodation will involve an attempt to complete the course with extra help: tutorial assistance, auxiliary aids, and test accommodations.

For some students with a disability, such accommodations will not be enough to enable him/her to complete the course. For these students, a course substitution will be individually considered under the conditions described in the procedures. A course substitution is permissible only if the course in question is peripheral to the student's course of study and the student has no reasonable chance of completing the course, even with all the accommodations the college can offer.

*College of the Desert*  
**PROCEDURE FOR SUBSTITUTION OF A COURSE REQUIREMENT  
FOR STUDENTS WITH DISABILITIES**

If a student with a disability has determined that all reasonable accommodations provided for a required course are insufficient to enable him/her to complete it, or if the student can show that his/her disability is of such magnitude that any attempt at completing the course would be futile, that student may submit a petition to the Academic Regulations Committee to determine whether a course substitution is appropriate.

A course substitution is permissible only if the committee determines that the course in question is peripheral to the student's course of study and that the student has no reasonable chance of completing the course even with all the accommodations the college can offer. ("Academic requirements that the district can demonstrate are essential to the program of instruction being pursued by the student or directly related to licensing requirement, will not be regarded as discriminatory." --34 C.F.R. 104.44(a)).

**NOTE:** *College of the Desert students will be made aware and must realize that a substitution granted by COD may not be recognized by a subsequent educational institution.*

## **POLICY & FORM for TAPE RECORDING LECTURES**

According to the US Department of Education, Office for Civil Rights, the tape recording of classroom sessions as an accommodation for students with disabilities is required under Section 504 of the 1973 Rehabilitation Act and the American with Disabilities Act (ADA). The legal reference, found in the Code of Federal Regulations 34 CFR104.44 (b) for Section 504 reads as follows:

### Sec. 104.44 Academic Adjustments

- b) Other rules. A recipient to which this subpart applies may not impose upon handicapped students other rules, such as the prohibition of tape recorders in classrooms or of guide dogs in campus buildings, that have the effect of limiting the participation of handicapped students in the recipient's education program or activity.

While students with disabilities who need it as an accommodation must be allowed to tape classes, they may be required to sign an agreement which indicates that the tapes will not be sold or used for any other purpose than their own educational needs. Some colleges even require that the tapes be turned into the DSPS Office after the student has completed the class. A sample of such an agreement follows.

## **STUDENT AGREEMENT for TAPING LECTURES**

I, \_\_\_\_\_, agree that I will not copy or release the tape  
Name of Student

recording or transcription or otherwise hinder the ability of \_\_\_\_\_  
Professor's Name

to obtain a copyright on lectures I have taped in \_\_\_\_\_  
Department, Course #, Title

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

## **POLICY FOR SERVICE ANIMALS**

In order to ensure a safe and appropriate learning environment for students, domestic pets or other animals will not be allowed on the Desert Community College District campus. Service animals specially trained to assist the disabled will be excepted from this policy.

A service animal is defined as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability who has a documented need for a service animal. Service animals perform some of the functions and tasks that the individual with a disability cannot perform for him or herself.

## **PROCEDURE FOR SERVICE ANIMALS**

For a student to bring an animal on campus, the student must show that they have a documented need for a service animal to provide assistance. The DSPS Office will substantiate the documented need for the service animal to be on campus. This approval process will occur during application for services or when the need arises. If the student wishes to appeal this decision, the DSPS Coordinator will review all information and render a decision. This decision will be given to the student in writing within five (5) instructional days.