Solano Community College Accessibility Services Center Student and Faculty Handbook

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Accessibility Services Center (ASC)

ASC provides counseling and accommodation services to students with disabilities at Solano Community College (SCC). ASC is housed within the Student Services building, Room 407 on the Fairfield campus.

Staff Directory

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For questions or general information regarding ASC or any of its resources or services you may contact the ASC Front Office at (707) 864-7136 or ASC@solano.edu.

ASC Mission
- Empower students with disabilities for success
- Provide services to minimize the limiting effects of a disability
- Advocate for the needs and rights of students with disabilities
- Create a level playing field in the classroom

ASC Goals
- Focus on the ability of students
- Determine and provide individualized accommodations
- Foster equal treatment throughout all SCC Programs
- Promote awareness of disability rights and equal access

Student Information

A Letter to Students

Dear Student:

As part of Solano Community College, you have an important role in helping to ensure your educational needs are met. The Accessibility Services Center (ASC) is here to assist you by providing appropriate accommodations, such as extra time on tests or the use of specialized technology. The appropriate accommodations will be determined as you speak with your ASC counselor.

You have a responsibility to inform your instructors of your approved accommodations ~~in a timely manner~~during the first week you attend classes, and to provide the appropriate forms to arrange necessary services (such as testing accommodations) ~~in a timely manner~~throughout the semester. Informing instructors of accommodations can be done by accessing accommodations in Clockwork on your own via https://clockwork.solano.edu, or with your counselor when meeting with them regarding accommodations. ~~You are expected to meet all of the academic standards instructors have set for their students, with the benefit of decided upon accommodations.~~ It is highly recommended that you make an appointment with each of your instructors to discuss your accommodations and any other disability-related concerns. Minimally, you need to check with your instructors to make sure they received your accommodations. You are expected to meet all of the academic standards instructors have set for their students, with the benefit of decided upon accommodations.

Please don't hesitate to contact us in ASC if you have a question or need help regarding your success in your classes. The ASC office is located on the Fairfield campus in Building 400, room 407. Please review the ASC website for our in-person availability, or ~~or you can~~ call us at (707) 864-7136 or email ASC@solano.edu.

Accessibility Services Center

Student Resources

The following is a sample of the many academic, regional, and national resources ASC provides access to, to assist students both in and out of the classroom. For additional resources and services please contact the ASC office.

- **Americans with Disabilities Act (ADA)**– Guarantees that people with disabilities have equal opportunities to participate in the mainstream of American life. https://www.ada.gov/

- **Association on Higher Education and Disability**– Resources for students and parents for full participation of persons with disabilities in postsecondary education. https://ahead.org/students-parents

- **California Community College Disabled Students Program and Services**– Provides support services, specialized instruction, and educational accommodations to students with disabilities. https://www.cccco.edu/About-Us/Chancellors-Office/Divisions/EducationalServices-and-Support/Student-Service/What-we-do/Disabled-Student-Programsand-Services

- **Canvas Student Frequently Asked Questions (FAQs)**– Helpful information for SCC students using Canvas for online classes. http://www.solano.edu/studentupdate/CanvasFAQs.php

- **Disabillity Rights California**– Public services to advance dignity, equality, independence and freedom for all Californians with disabilities. http://disabilityrightsca.org/

- **United Stated Department of Education Office for Civil Rights**– Ensures equal access to education and promotes educational excellence in our nation's schools. https://ed.gov/about/offices/list/ocr/index.html

- **Solano County Older & Disabled Adult Services**– Promotes physical safety and emotional security for older and disabled adults and children in Solano County. http://www.solanocounty.com/depts/hss/odas/

- **Solano County Public Transportation**– Public transportation information and resources for Solano county residents. https://soltrans.org/

Rights and Responsibilities

SCC enforces certain rights and responsibilities for all students, faculty members, and the college itself. The following are intended to protect all staff and students and provide an accessible experience for all.

College Responsibilities

- Prohibit discrimination against individuals with disabilities.
- Reduce or eliminate physical, academic and attitudinal barriers.
- Maintain strict student confidentiality.
- Develop a shared responsibility and community for individuals with disabilities.
- Assist students in self-advocacy.
- Assist students in problem solving.
- Be sensitive to the individual personalities of students in communicating their needs or attempting to maintain dignity with a difficult issue.
- Provide reasonable accommodations. (ASC)
- Guide students to campus and community resources. (ASC)
- Serve as liaison with faculty when a medical emergency necessitates an extended absence. (ASC)

Student Rights (abridged)
According to the California Code of Regulations (Title V), the Rehabilitation Act of 1973 (Section 504), and The Americans With Disabilities Act of 1990 (ADA), students have certain rights:

- Not to be denied access due to a disability.
- Reasonable accommodations that provide equal opportunity.
- Access to auxiliary aids and/or assistive technology.
- Not to be counseled toward more restrictive career goals.
- Assistance from ASC in removing any physical, academic, or attitudinal barriers.
- Not to be discriminated against due to a disability or receive any retaliatory discrimination.
- Identify themselves to ASC if they wish to receive services through ASC.
- Participation in ASC shall be entirely voluntary.
- Students shall not be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity in a public

entity. Students shall not be discrimination against in any way on the basis of disability.

- Receiving ASC support services/accommodations or ASC instruction shall not preclude students from participating in any other course, program or activity offered by the college.
- All records maintained by ASC personnel pertaining to students' disabilities shall be protected from disclosure and shall be subject to the Family Educational Rights And Privacy Act requirements for handling of student records.

For the full text of student rights please visit the ASC Webpage at
http://solano.edu/ASC/rights.php

Student Responsibilities

- Provide ASC with the necessary documentation of a disability.
- Voluntarily request services.
- Meet with a ASC staff person/faculty member to complete a Student Educational Contract.
- Demonstrate measurable progress toward the goals in your Student Educational Contract.
- Notify ASC in advance of any absences from class or appointments if you are using readers, interpreters, tutors, and/or other assistants.
- Return any equipment on loan from ASC at the end of each semester.
- Maintain behavior appropriate in an educational setting.
- Provide for their personal independent living needs or other personal disability related needs.
- Adhere to ASC policies for accommodations.
- Adhere to the SCC Student Code of Conduct and Academic Honesty policies.

SCC Student Code of Conduct

Students are held individually responsible to abide by the SCC Student Code of Conduct. Failure to read and comply with college regulations will not exempt students from whatever penalties they might incur. Students are expected to conduct themselves in an acceptable manner while on campus and when representing SCC in any off-campus activity. Specific rules and regulations and applicable penalties for violation of the Student Code of Conduct (Ed Code 66300) are available in the Office of the Vice President of Student Services at any time.

Academic Honesty

The Student Code of Conduct published in the SCC catalog defines dishonesty as ". . . cheating, plagiarism, or knowingly furnishing false information to the college." Such behavior shall constitute sufficient cause for the initiation of disciplinary action.

ASC Counseling

ASC helps to ensure that students with disabilities are able to participate in all of the programs and activities of the College. The counselors in ASC understand how having a disability may affect a student's success in college and on the job. To help along the way, ASC counselors will also work to identify appropriate individualized accommodations and services. These services are intended to prepare and support each student, enabling them to participate on an equal basis with their non-disabled peers.

Students must see a ASC counselor when first entering the program. When verification of disability is received, the counselor will develop an accommodations checklist, and help the student understand how to arrange each service. As each student continues to work toward their goals, they will meet with a counselor to discuss progress, make adjustments to their academic or vocational plan.

There is also a Learning Disabilities Coordinator available to help students with academic success coaching, during which the coordinator will help students navigate time management, study techniques, and specific strategies for success. This service can be acquired by contacting the main ASC office at (707) 864-7136 or ASC@solano.edu.

How to Discuss Your Needs with Your Instructors

- In the first week of classes, make sure that your instructors have your accommodations checklist. Go to their office hour to discuss your accommodations so that they can understand your needs.

- You are not required to disclose anything you are uncomfortable with or do not wish to, but it is in your best interest to share with the instructor what you feel will help you be successful in their class and how it will be helpful to you.

- If you do feel comfortable discussing your specific disability with your instructor, keep in mind that you will be educating them about yourself and your disability during your discussion. No two people with a disability are the same.

- It is very important to discuss concerns with your instructor in a timely manner. For example, if one of your accommodations is to sometimes receive an extension on an assignment, do not wait until the last minute to request this extension. If you receive extra time on exams, politely remind the instructor of this at least a week prior to the exam to give them time to make the appropriate arrangements.

- Remember that instructors may have more than 100 students each semester, so they may occasionally need to be reminded of an individual student's needs, regardless of how committed they are to student success. It is up to you to attend office hours as often as needed to discuss your needs and concerns in regard to your classes.

- Above all, go approach all communication with your instructors knowing that they want you to succeed. Working together, you and your instructor can make this happen.

- If you have any concerns about your accommodations being met that cannot be resolved through communication with your instructor, contact ASC immediately.

Faculty Information

A Letter to Faculty

Dear Colleagues:

As part of Solano Community College, you have an important role in helping to ensure that the college does not inadvertently discriminate against people who have disabilities. The Accessibility Services Center (ASC) is here to assist you in providing appropriate accommodations for students with disabilities, such as extra time on tests or the use of specialized technology.

Students have a responsibility to inform you of their approved accommodations via an email that will come to you from our Clockwork system. This email will contain the student's accommodations as well as a link (https://clockwork.solano.edu) by which you can access all of your students' accommodations (providing they have provided the electronic permission). of his or her approved accommodations, Students must also and to provide the appropriate forms/routing slips to arrange necessary services, such as testing. Because student accommodations will arrive to you via email, please make sure to check your email regularly throughout the semester, as not all students register with us at the beginning of the semester.

When you see the ASC Accommodations Checklist, you will know that the student's disability has been appropriately verified, and the accommodations have been individually prescribed to compensate for the effects of that student's educational limitations. ASC faculty have special expertise and training to develop reasonable accommodations under Federal and State laws, and to help you meet your responsibilities on behalf of the College.

He or sheStudents are expected to meet all academic standards you have set for your students; however, there may be a need for modifications in the way some elements are demonstrated or measured, which ASC can help you with as needed. There is wide diversity among students within a given disability type and a wide range of previous experiences that students have had in accommodating their disabilities. It is important to keep in mind that two people with the same disability may require different accommodations. For this reason, you should meet with each ASC student once you have received their accommodations in order to discuss them and any other disability-related concerns. However, keep in mind that while students may choose to disclose their disability, by law you are not allowed to ask what their disability is.

Other faculty have commented that their students with disabilities have often provided an opportunity for creative problem solving and a fresh approach to their discipline. They expressed that even non-disabled students in their classes may benefit from the special teaching techniques they've developed to meet the needs of students with disabilities. This is the basis of Universal Design for Learning (UDL), which all

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instructors should utilize. And all students welcome the chance to learn from one another's strengths and uniqueness.

Finally, please don't hesitate to contact us in ASC if you have a question or need help regarding a student with disabilities in your class. The ASC office is located on the Fairfield campus in Building 400, room 407. Please review the ASC website for in-person hours, or ~~or you can~~ call us at (707) 864-7136 or email ASC@solano.edu.

<div align="right">Accessibility Services Center</div>

Rights and Responsibilities

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- Develop a shared responsibility and community for individuals with disabilities.
- Assist students in self-advocacy.
- Assist students in problem solving.
- Be sensitive to the individual personalities of students in communicating their needs or attempting to maintain dignity with a difficult issue.
- Provide reasonable accommodations. (ASC)
- Guide students to campus and community resources. (ASC)
- Serve as liaison with faculty when a medical emergency necessitates an extended absence. (ASC)

Faculty Rights

- **Classroom Behavior** – All students must adhere to the College Code of Conduct. Infractions of this code should be directed to the Vice President of Student Services. If the student has been identified as a student with a disability, this information should be provided to the Vice President to facilitate collaboration with ASC.
- **Challenging Accommodations** – A faculty member has the right to challenge an accommodation request if they believe it would result in a fundamental alteration of the program. Please review the "Guide for Determining Fundamental Alteration" (GDFA) at the end of this document for more information as to what constitutes fundamental alteration. Please connect with the ASC faculty for more discussion on how the requested accommodation can be met. For more information on the process of challenging an accommodation, please see Board Policy #5365. The institution may deny a request for a specific accommodation if the accommodation being asked for is to address a personal need, or the accommodation would impose an undue financial or administrative burden on the institution.

- **Recording Lectures** – It is the faculty member's right to request a written Classroom Accommodation Agreement before allowing the student to record the class.

Faculty Responsibilities

- **Shared Responsibility** - As an employee of SCC, which has compliance obligations under federal laws, the faculty member shares the responsibility to provide reasonable accommodations for students with disabilities. The faculty member is a partner in helping to meet the needs of the qualified disabled student and participates in the development of accommodations for their students.
- **Confidentiality** - Students with disabilities are protected under Family Education Rights and Privacy Act (FERPA) and the civil rights laws. At no time should the faculty make any statements or implications that the student is any different from the general student population.
  - Examples:
    - Do not ask the student to come to the classroom and then leave with a test in-hand.
    - Do not place the student in any obvious place to take an exam because you want to be close to them in case they have a question.
    - Do not discuss the student's needs or accommodations other than in a private place.
    - Do not make comparisons between students with disabilities and other students.
- **Syllabus Statement** – California law requires that each course syllabus contains an accommodation statement. ASC suggests the following statement: "If you have a disability and might need accommodations (support services) in this class, please contact Accessibility Services Center at (707) 864-7136 or ASC@solano.edu as soon as possible to ensure that you receive the accommodations in a timely manner. You may also discuss your need for accommodations with me."

For information on specific learning disabilities and best practices for addressing them, see our website: http://www.solano.edu/dsp/types.php

There you will find definitions, and links to resources, and at the bottom of the page are documents that include symptoms of specific learning disabilities and tips for helping students with specific learning disabilities.

Best Practices

1. **Focus on Abilities.** Although it can be useful for you to understand specific disabilities and how best to help students be successful, a major barrier to success for students with disabilities is the tendency of others to focus on their disabilities instead of their abilities—what they cannot do versus what they can do. Approach accommodating a student who has a disability with the attitude that they have the ability to do the work, but simply need to accomplish some things in a manner that is different from the traditional way.

2. **Ask the student**. While we encourage students to discuss their needs with their instructors, this is not always done. If you have questions about a student's needs and how to help them succeed, the first person to ask is the student. You may not legally ask students if they have a disability, but you can make inquiries about the nature of their difficulties. You may privately ask if they have had difficulty before and how they were able to succeed in their classes. The student may then voluntarily disclose a disability. At this point a referral to ASC would be appropriate. If they are interested, give them information on how to contact ASC to set up an appointment ((707) 864-7136 or email ASC@solano.edu), or even better, walk them over to our offices in 407. If the student does not disclose, you may simply tell the them that you notice they are having academic difficulty and encourage them to talk with you about gaining assistance just as you would with any student. Unfortunately we cannot legally force a student to disclose a disability or use our program, and instructors cannot diagnose disabilities.

3. **Be aware of your language**. Using terms such as "student with disabilities" rather than "disabled student" puts the emphasis on the person rather than their disability. The same courtesy holds for specific disabilities, such as saying "person who is blind" rather than "blind person." Also beware of labels that depict someone as weak or helpless, such as "accident victim" or "person who suffers from blindness." Finally, people should avoid apologizing for using terms such as "gotta run," "see you later," or other expressions that inadvertently relate to certain disabilities. These expressions are part of everyday language, and it is possible that the apology will be more offensive than the expression because it draws attention to the disability.

4. **Place your book orders early, according to the Bookstore's deadlines.** ASC provides books in alternate formats (e-text, audio-tape, large print, Braille) for eligible students. It can take up to ten weeks to secure or produce a textbook in alternate format. Once students enroll in classes during the first day of registration, it is crucial for ASC to be able to access the required book information from the Bookstore. Keep in mind that course readers (hardcopy or electronic) can be especially difficult to produce in alternate format if they have underlining, hand-written notes, highlighting, cut-off margins, or poor-quality copies.

5. **Verify the student's eligibility for disability-related accommodations.** When a student advises you that they will be using ASC approved accommodations, ask to review the student's Accommodations Checklist form with the student. This discussion should happen even if you have already reviewed the accommodations on your own. Respect the confidentiality of

students with disabilities by discussing their accommodations in a private setting. In addition, non-ASC verified accommodations can be made if the instructor agrees to them. In these instances, discuss with the student what they feel they need, asking if they are registered with ASC or are aware of it, and if not participating, if there is a reason. Then you can discuss whether they are comfortable providing the requested accommodation or if further discussion with ASC is needed.

6. **Make sure all materials are accessible.** If materials (online or hard copy) are inaccessible to screen readers or other accommodations, then learning is inaccessible. See http://www.solano.edu/DSP/faculty.php for specific information on making sure materials are accessible.

7. **Teach using principles of Universal Design for Learning (UDL).** UDL is inclusive of *all students*, regardless of disability, giving *all students* equal learning opportunity by taking into account different learning preferences and reducing barriers. To incorporate this, you can do the following:
   i) Create materials, classrooms, curriculum, teaching methods, and university procedures with accommodations built in so that *all students* can benefit and no one is singled out
   ii) Emphasize a proactive valuing of diversity
   iii) Incorporate multiple means of engaging with content and people, representing information, and expressing skills and knowledge

General Information

Accommodations

ASC provides accommodations to qualified students to help remove barriers imposed by disabilities in the classroom. Students should be familiar with the process by which they may receive and utilize different kinds of accommodations:

1. The student requests ASC Services, identifies their needs, and provides documentation of disabilities.
2. ASC Counselors meet with a student to verify disabilities and determine appropriate accommodations.
3. The student receives appropriate training and necessary information to utilize their accommodation(s) effectively.
4. The student may notify instructors of their accommodation(s) with an accommodations form, either via email or hard copy.
   Note: Students have a right to confidentiality and are not required to disclose accommodations or disabilities.

Alternate Media Accommodations

Some students are assigned alternate media or assistive technology to aide in the classroom and/or on assignments outside of the classroom. Some of these accommodations include:

- **Alternate Textbooks** – Provides copy of textbooks in alternate formats, including audio, digital text, or braille.
- **Speech-to-Text Dictation** – Allows students who struggle with typing on a keyboard to dictate text with their voice.
- **Screen Readers** – Allow blind or visually impaired students access to computers and mobile devices via audio.
- **Portable HD Camera** – Provides magnification of classroom materials from a distance using a laptop computer.
- **Remote Captioning** – Provides text captioning services to deaf or hearing-impaired students using a laptop computer.
- **Audio Note Takers** – Allow students to record lectures in class using digital recording devices or mobile applications.
  - **Smart Pens, Audio Note Apps** – Provides students with digital note taking devices and/or applications.

- o **Digital Recorders** – Provides students with digital recording devices to record and listen to audio from class lectures.
- **Text enlargement** – Provides enlarged version of printed classroom materials to visually impaired students.

If you have questions or would like to request information regarding alternate media, please contact the Alternate Media Specialist.

Testing Accommodations

Some students are assigned testing accommodations. These provide students with equal access to classroom or online exams, without undue burden. These accommodations include:

- **Assistive Technology** – Allows the use of JAWS, Kurzweil, Dragon Naturally Speaking, NVDA or other assistive technology products during exams.
- **Breaks** – Allows breaks mid-test, not to be counted against test-taking time.
- **Distraction Reduced Setting** – Provides a quiet test taking environment in the ASC Office or Assessment Center.
- **Extended Time** – Provides additional time to what is allotted in class to complete exams, generally 1.5x or 2x.
- **Supplemental Resources** – Provides a calculator, dictionary, alternative test format, or other supplemental resources during test.

Other Accommodations

Some students may be deemed eligible for the following accommodations:

- **Breaks** – Allows students breaks as needed to stand/ stretch without penalty in class.
- **Meet with Instructor** – Provides that student must be allowed to meet at regular intervals with instructor to review lecture notes and assignments.
- **Preferential Seating** – Provides that student must have reserved seating in the front of class, near instructor, or wherever necessary to accommodate needs.
- **Priority Registration** – Provides early registration so that student may be sure to enroll in all necessary classes for course of study.
- **Supplemental Resources** - Provides a calculator, laptop, or other supplemental resources during class.
- **Faculty-provided copies of lecture notes and/or slides used during class**— Provides students the ability to focus in class knowing they will have supplements to their own notes preferably prior to class.
- **Early access to course registration**

Additional Universal Design for Learning (UDL) Classroom Accommodations to Consider

Small Group Work
Because small group work can present specific challenges to students with disabilities (and others) for various reasons, here are some considerations you might make for your students:
- Permit students to select group members they wish to work with and do not change groups
- To reduce students' social anxiety in small-group formations, faculty can prearrange groups
- Allow students to work in one-on-one collaborative teams
- Offer the possibility of having students interact with groupmates virtually via Zoom or Teams
- Assign a student to serve as a scribe in the student's group to take notes during group sessions
- Allow group work to occur in the hallway or outside the classroom
- Seek the provision of accessible tables, chairs, and other furniture that are available for students to get comfortable and actively participate
- If possible, give students the option to submit the assignment solo or provide an assignment with the same objectives

Random or Cold Calls
If you are calling on students randomly during a discussion or doing a cold call type of quiz, this can be especially difficult for students with a disability, so consider the following:
- If students will be called upon, provide students a signal or advanced notice
- Call upon students if and when their hand is raised
- Give the student the option to pass if called upon
- Allow students to answer in written form

Online Considerations
Online courses can offer specific challenges for students with disabilities, and the following UDL considerations can address these.
- All videos have must have captions available, and faculty should consider providing students with a transcripts of videos
- Faculty must take the initiative to consider accessibility when selecting third-party content or software and make alternative arrangements, if necessary.
- Incorporate 3D models into online information so students can retain the information in the format that best works for them
- Make sure a screen reader is compatible with any online platform you require students to use
- Present content using consistent layouts and organization schemes

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- Implement a text-based format and structure content using headings and lists, with style and formatting features within Canvas, along with content creation software (i.e., Microsoft Word, PowerPoint, and Acrobat) to apply built-in page layouts
- Tables do not work well with screen readers, so consider alternative organizational elements
- Use descriptive wording for hyperlink text rather than "click here"
- Post most instructor-created content within Canvas content pages (i.e., in HTML) and link to it only as a secondary source of information if a PDF is desired
- Provide concise text descriptions of the content presented within images (text descriptions of web resource)
- Use large, bold, sans-serif fonts on uncluttered pages with plain backgrounds
- Implement color combinations that have a high contrast so students with color blindness can decipher the information, but don't use too many colors—black and white is really the best except for rare cases of emphasis.

For additional information on any of these accommodations, please contact the ASC office.

What to do when you have questions/concerns about an accommodation:

1. Discuss the issue with the student so they can communicate their needs and you can attempt to problem solve the situation.
2. If you cannot resolve the concern or you still have questions, contact ASC in order to discuss your questions/concerns and problem solve the situation—this discussion will either happen with the student's ASC counselor or with one of the Disability Coordinators.
3. Per Board Policy #5365, If the dispute cannot be resolved, ASC staff will contact the District 504 Compliance Officer who, as the college representative, will determine what accommodation the college will provide. The District 504 Compliance officer may also connect with the instructional Dean of the instructor in disagreement for consultation and/or meet with all involved. As needed a review of the GDFA will be conducted.
4. If the determination by ASC faculty is that the student needs a course substitution or waiver for a particular requirement (based on the guidelines in Board Policy #5365), ASC faculty will consult with the ASC Coordinator/Director and Instructional and/or A&R Dean over the requirement being substituted/waived, and when possible, content knowledge faculty/counselors. If the student is in agreement with the determined course substitution/waiver, then the necessary substitution petition/waiver documentation will be signed by

required Deans and filed with Admissions and Records, as well as in the student's Disabled Students Program files.
5. If either the student or instructor is in disagreement with the substitution/waiver determination, either party may request a hearing by the Academic Accommodations Committee. For details see Board Policy #5365.

Guide for Determining Fundamental Alterations (GDFA)

There may be times that the student and/or Disability Support Services staff request an accommodation that you believe may potentially compromise the academic integrity or create a fundamental alteration of your course and/or program. To determine whether an accommodation fundamentally alters the nature of a course and requires review, faculty should be able to:

1. Identify the essential academic standards of the course (i.e. course/program requirements that go to the very nature of the subject matter, or that are of the utmost importance in achieving the course/program objective). A good place to start in identifying these would be the SLOs;
2. Articulate specific requirements that individual instructors believe are fundamental to teaching the course/program (takes academic freedom into consideration);
3. Identify the unique qualities of the course/program in relation to its overall objectives and any program in which the course is required;
4. Engage in "reasoned deliberation" as to whether modification of the course/program would change the fundamental academic standards;
5. Determine whether there are any alternative options to the fundamental requirements of the course. (See questions to consider below.)

Questions to Consider

- Why is the standard that the instructor believes will be lowered important to the course/program?
- Is the standard the better way (or only way) to achieve the desired academic objective?
- Will the requested accommodation lower academic standards of the course/program? If so, how?
- Can a different assessment or assignment that will not be altered by the accommodation (or perhaps even need the accommodation) achieve the desired academic/pedagogical result?

The Law

Section 504 of the Rehabilitation Act of 1973 & Americans with Disabilities Act (ADA)

Congress passed Section 504 of the Rehabilitation Act in 1973. It is a civil rights statute designed to prevent discrimination against people with disabilities in federally funded programs, such as public colleges. It provides that:

> *No otherwise qualified individual with disabilities in the United States shall solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.*

The Americans with Disabilities Act (ADA) which was modeled after Section 504, was signed into law in July 1990, and generally implemented in 1992. The ADA extended the nondiscrimination statutes and civil rights for persons with disabilities (disability: physical or mental impairment which substantially limits one or more of the major life activities of the individual) to employment settings, transportation, public accommodations, services provided by state and local governments, and telecommunications.

Solano Community College follows the regulations from these laws as well as all California Community College guidelines to ensure that all students, including those with disabilities, are evaluated in a manner which accurately assesses the students' knowledge and skills, rather than their disabilities. Further, SCC proactively seeks to integrate all students into its programs and campus life. We are committed to providing educational access which is as effective as that available to non-disabled students**.**

Section 508 (Amended) of the Rehabilitation Act of 1973 & California Senate Bill (SB) 105

Electronic and information technologies (EIT) are significant means by which Solano Community College provides information to students, faculty, staff and other constituents. The need to ensure accessibility to all members of the campus community becomes critical as more administrative services and learning environments are based on EIT. Such access is also a part of the college's ongoing commitment to establishing a barrier free learning community, through universal access principles, to all students.

This means, for example, that the college is required to close-caption videos used or replace existing non-captioned videos with new captioned videos for use; that its internet communication (e.g., web site, distance learning classes, administrative and tutorial services) is accessible to/usable by students with disabilities who use assistive computer technology, and that assistive computer technology is available on computers in labs and in instructional settings.

Individuals with disabilities are guaranteed access both to the educational institutions and to systems of communication under the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Amendments to Section 508 of the Rehabilitation Act clarify accessibility requirements for EIT developed, procured, maintained, or used.

Furthermore, Senate Bill 105 (SB 105) added language to the California Government Code Section 11135 codifying in state law the obligation of state agencies and entities receiving state funds to comply with the requirements of Section 508 of the Rehabilitation Act. CA Government Code Section 11135, subsections 2 and 3, (through SB105), states the following:

> (2) In order to improve accessibility of existing technology, and therefore increase the successful employment of individuals with disabilities, particularly blind and visually impaired and deaf and hard-of-hearing persons, state government entities, in developing procuring, maintaining, or using electronic or information technology, either directly or through the use of state funds by other entities, shall comply with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended (29 USC Section 794d), and regulations implementing that act as set forth in Part 1194 of Title 36 of the Federal Code of Regulations.

Additionally, the Legal Opinion from the California Community Colleges Chancellor's Office (Legal Opinion M01-17), dated June 11, 2001, states:

> In its 1998 decision concerning accessibility for blind and visually impaired students in the community colleges, the Office for Civil Rights of the U.S. Department of Education (OCR) held that the Americans with Disabilities Act of 1990 imposes essentially the same requirement on colleges. As a result, if a college does not purchase available equipment or software, which provides accessibility, OCR and the Chancellor's Office will not accept an argument based on undue hardship if a discrimination complaint is subsequently filed. This will typically mean that the college will be found in violation of the ADA and required to replace or modify the product, often at much higher costs.

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