Morgan Community College ADA Amendment Act Handbook

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INTRODUCTION

Preface

Morgan Community College is a small school in the rural northeastern Colorado plains. Our Full Time Equivalency (FTE) count averages around 1,100 students per academic year, spread out over 11,500 square miles. Distance learning via the Learning Together Network (LTN), V-Net, online WebCT, and four satellite centers make covering the distances possible. The student body, as with any higher education institution, has a number of students with disabilities (special populations). Morgan Community College meets the legal and moral obligation to service these students. The policies and procedures involved are included in this handbook.

This handbook is designed for the faculty, staff, adjunct instructors, and anyone else working with students at MCC. Five main purposes have driven its construction. First, this handbook solidifies the policy and procedure for working with students of special populations and in providing accommodations to meet the mission of Disability Support Services. The ADA Coordinator and VP of Student Success follow these processes and make decisions based on the policies contained herein. Faculty, adjunct instructors, staff, administrators, and students are also bound by these MCC policies and procedures.

Second, this handbook exists to facilitate the flow of communication from the ADA Coordinator to faculty and adjunct instructors. Through an understanding of policy and procedure relating to students of special populations, and the transparency of how and why Special Services makes decisions about students with disabilities and accommodations granted to them, problems and concerns can be avoided.

Third, this handbook serves as a guide and resource. The procedures outline how to help students who have identified themselves as having a disability. MCC employees may also use the information in working with students and the ADA Coordinator. Other information within may be useful for planning classroom instruction, advising, and otherwise working with students with disabilities.

Fourth, the purpose of this handbook is to show how and in what manner MCC is in compliance with and fully supports Section 504 of the Vocational Rehabilitation Act of 1973 with amendments of 1974 as well as the Americans with Disabilities Act (ADA) of 1990 and the recent 2008 Amendment Act. "No qualified individual with a disability shall, by reason of such disability, be subjected to discrimination."

Fifth, and finally, the purpose of this handbook is to provide ease of transition in the event of a change of personnel in the ADA Coordinator or the VP of Student Success position. The contents of this handbook will quickly inform new personnel.

Morgan Community College Special Services Mission Statement

The mission of Disability Services is to partner with students of special populations by collaborating with instructors and staff to ensure equitable and inclusive treatment of everyone with special needs. We also support students of special populations in their efforts to reach their potential by fostering self-advocacy and facilitating student accommodations.

THE LAWS WHICH GOVERN THE PROVISION OF SUPPORT SERVICES FOR STUDENTS WITH DISABILITIES IN POSTSECONDARY ENVIRONMENTS

Section 504 of the Vocational Rehabilitation Act Of 1973

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

Americans with Disabilities Act as Amended by the ADA Amendment Act of 2008

It is the purpose of this Act -

1. to provide clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities;

2. to provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities;

3. to ensure that the Federal Government plays a central role in enforcing the standards established in this Act on behalf of individuals with disabilities; and

4. to invoke the sweep of congressional authority, including the power to enforce the fourteenth amendment and to regulate commerce, in order to address the major areas of discrimination faced day-to-day by people with disabilities.

Definition of Disability (Sec. 12102. [SEC. 3.])

As used in this Act:

1. DISABILITY. - The term “disability” means, with respect to an individual –
    a. A physical or mental impairment that substantially limits one or more major life activities of such individual;

b. a record of such an impairment; or

c. being regarded as having such an impairment

2. MAJOR LIFE ACTIVITIES. –

   a. IN GENERAL. – …major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

   b. MAJOR BODILY FUNCTIONS. - …a major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

3. REGARDED AS HAVING SUCH AN IMPAIRMENT. –

   a. An individual meets the requirement of 'being regarded as having such an impairment' if the individual establishes that he or she has been subjected to an action prohibited under this Act because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.

   b. Paragraph (1) (C) shall not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.

Discrimination

Subject to the provisions of this title, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

What Does this Mean for a Student with a Disability Entering College?

The ADAAA and Section 504 combined imply that whether an institution is a private or public entity the institution has a responsibility to prohibit discrimination against students with disabilities. Colleges and universities are required to make modifications in policies as well as physical environments that allow all students the opportunity to participate equally. To not comply with these laws is akin to discriminating against an individual because of skin color or religion.

How Does a Student with a Disability Gain Access to Modifications?

Unlike the laws that apply in secondary and elementary environments, the ADAAA and Section 504 require students to self-identify to the institution and provide appropriate documentation that substantiates the need for adjustments or accommodations. All institutions are required to publish the procedure students are to use to access accommodations. Generally, the procedures can be found in the catalog and other publications from the institution.

All institutions are also required to hold confidential any documentation of a disability that a student supplies. As such, each institution usually has a separate office or program that students with disabilities can use to request accommodations. It is also illegal for an institution to request information about a person's disability on an application form — unless that institution is under mandate to correct past behaviors. Regardless, the existence or non-existence of a disability cannot be a consideration in the application process. However, some institutions do have special entrance programs for students with disabilities and it is appropriate to consider disabilities and ask for disclosure of a disability in these situations.

How Does this Impact a Student with a Disability on a Daily Basis?

There are general requirements that must be met under these laws. They are:

- No exclusion solely on the basis of disability. It is illegal to place caps on the admission of students with disabilities to institutions or to programs/activities that are open to the general population of (potential) students.
- No discrimination through contract. Neither public nor private entities may elude their responsibilities for compliance with the ADAAA or Section 504 by contracting out portions of their programs/services to another entity. These programs are under the same requirements for accessibility as if the institution ran the program/activity themselves.
- Participation in the most integrated setting. If special programs are established, the individual with a disability may still choose to participate in the general program. Persons with disabilities have the right to refuse accommodation.
- No discrimination through eligibility criteria unless that criteria can be shown to be necessary to the provision of the activities or services. The institution may impose criteria that relate to safety risks, but these criteria must be shown to be based on actual risk and not on stereotypes or assumptions about the abilities of people with disabilities.
- Modifications in policies, practices, and procedures when necessary to avoid discrimination on the basis of disability unless the institution can demonstrate that modifying the policy or practice would fundamentally alter the nature of the activities or services offered. Students with disabilities can be asked to actively participate in the arrangement and day to day maintenance of accommodations. This could require a student with a disability to work directly with instructors or other personnel to arrange, manage, or otherwise maintain the accommodation.
- Modifications to allow the presence/use of appropriately trained and licensed service animals.
- No discrimination through association. It would be discriminatory to deny space on campus for a student initiated disabilities support group or to require all students who attend such a group to apply for services through the Disabilities Services Office.

- Surcharges to cover the costs of accessibility may not be imposed solely on persons with disabilities. The cost of accommodation is part of the daily operation of the institution. It would be acceptable to add or increase a fee that all students pay in order to compensate for the costs. Students with disabilities can be charged a fee for programs that go above and beyond the required accommodations.
- Examinations and courses must be accessible. This is not only true for examinations required to participate in the programs but also for examinations related to licensing or certification for educational, professional, or trade purposes. Public entities are required to provide accommodation in examinations they administer and to see that testing given by others for use in their licensing/certification procedures is given with appropriate accommodation.
- No discrimination because of insurance constraints. It is illegal for a public or private entity to refuse to serve persons with disabilities, or to serve them differently due to their disabilities, because it's insurance company conditions coverage or rates on the absence of individuals with disabilities.
- No harassment or retaliation. It is a violation of the ADA to discriminate through action or treatment against an individual who has opposed any act or practice made unlawful by the ADAAA, or because such individual testifies, assisted, or participated in any manner in the bringing of a complaint under the ADAAA. (This last section was adapted from: Title by Title, The ADA's Impact on Postsecondary Education by Jane E Jarrow, Ph.D.; 1992 Association on Higher Education and Disability.)

DIFFERENCES BETWEEN HIGH SCHOOL AND COLLEGE REQUIREMENTS

	High School	College
Class Time	Classes meet daily.	In general, one hour in class per week for each credit hour. Average student takes 12-15 credit hours.
Study Time	1-2 hours a day. Most homework is done in class.	Two hours outside of class for every hour inside of class. No homework done in class.
Tests	Weekly, at the end of a chapter, frequent quizzes.	2-4 per semester.
Grades	Being under the age of 21 guarantees a seat.	Satisfactory academic standing, C's or above. Competitive entry into programs. D's/F's don't count towards graduation.
Teachers	Often take attendance. School will call parents regarding attendance.	Attendance policy is determined by the instructor. Often lectures are non-stop and require library research. Students are responsible for information from books, lecture and research.
Freedom	Structure defines most of the time. Limits set by parents and school personnel.	Student determines when, where and how they spend their time.
Reading	The reading requirements for most classes can be done with minimal outside work.	College is a reading intensive environment. Analytical reading skills are necessary. If books on tape are needed, student must communicate with the support services office, the instructor and the reader.
Support Services	School has responsibility to find those who need services and provide the services.	School has responsibility to provide services only after the student presents documentation of need and requests specific services.
Self-Advocacy	Parents and school staff advocate on behalf of the student.	Students are required to advocate for themselves with support from the disability service provider.
Tutoring	Often provided as part of support services during the school day. Free Service, individualized and personal. Often reiterates or re-teaches class material.	By law, tutoring is considered homework assistance and colleges are not financially responsible. Most colleges provide limited tutoring. Not individualized. Services require students to attempt homework and meet with tutor with specific questions.
Colleges Can Vary	Most high schools offer similar services and the way to access those services is the same.	Each college or university has its own mission and the services offered reflect that mission. Some colleges offer more student support than others.

Adapted from Promoting Postsecondary Education for Students with Learning Disabilities; Brinkerhoff, Shaw and McGuire: 1993, PRO-ED, Texas USA

RIGHTS AND RESPONSIBILITIES

Rights and Responsibilities of Faculty and Staff at MCC

Faculty and staff have the following rights in relation to working with students with accommodations:

- Request more information. The ADA Coordinator or VP of Student Success may request more information on a student and/or their disability in order to determine eligibility for accommodations.
- Determine appropriate accommodations. The ADA Coordinator and/or the VP of Student Success will determine the appropriate accommodations for students with disabilities. Students disagreeing with these decisions must follow the procedure for filing appeals or complaints.
- Share information. The ADA Coordinator may share information with those directly affected, including faculty, the VP of Student Success and others deemed necessary by the ADA Coordinator.

Faculty and staff have the following responsibilities in relation to working with students with accommodations:

- Confidentiality. Faculty and staff must keep information pertaining to students with disabilities confidential. They will not discuss accommodations or disabilities with anyone who is not directly and academically involved with the student.
- Implement accommodations. Faculty and instructors must implement the accommodations deemed acceptable by the ADA Coordinator and/or VP of Student Success.
- Communicate. Any concerns about students granted accommodation should be shared with the ADA Coordinator.

Rights and Responsibilities of Students Requesting Disability Accommodations at MCC

Students requesting disability accommodations have the following rights:

- Equal access to education and opportunity to participate in programs and activities.
- Timely accommodations and use of aids. Students should not have to wait more than 2-3 weeks for internal communications to be completed between the ADA Coordinator and the faculty.
- Privacy. Information about disabilities and/or accommodations will only be shared with those directly affected, including faculty, the VP of Student Services and others deemed necessary by the ADA Coordinator. Information will also be kept separately and under lock and key.

Students requesting disability accommodations have the following responsibilities:

- Their own enrollment. The student must make appointments with academic/faculty advisors to discuss and get help with selecting classes for graduation, and must register on-line or turn in paper registration of their own volition.
- Self-advocacy. Students will not be questioned about or be pursued for information about any existing disabilities. They must initiate all requests for accommodations.
- Provide adequate documentation. To obtain accommodations, students must provide documentation of a disability by a licensed professional in the medical field relating to their disability and in accordance to MCC policy.
- Maintain Grades. Students with disabilities are required to maintain the same standard of grades as students without disabilities, as per school policy for academic and financial progress.
- Advanced notice of need for accommodation. Students must notify the ADA Coordinator about their need for accommodation with advanced notice.

OVERVIEWS OF DISABILITIES

Learning Disability (LD)

Susan Winebrenner, who wrote *Teaching Kids with Learning Difficulties in the Regular Classroom: Strategies and Techniques Every Teacher Can Use to Challenge & Motivate Struggling*

Students, defines Learning Disability, or LD, as "all individuals who have some neurological impairment that mixes up signals between the senses and the brain." She continues to say that this includes students classified as having AD/HD or ADD. "Students with LD have average to above-average intelligence, but they experience processing problems when their brain receives stimuli from their senses" (22).

Types of learning disabilities include, but are not limited to, the following (recorded in Winebrenner):

- **Visual Perceptual Disability.** This includes dyslexia and hyperlexia where individuals perceive letters and numbers different from how they are written. Or, individuals with this disability can read but don't understand what they read.
- **Auditory Perceptual Disability.** Individuals with this LD often confuse sounds from simultaneous speakers, background noise and/or they mishear sounds, causing them to spend more time in decoding what they hear.
- **Language Learning Disability.** Individuals "have trouble communicating their thoughts through speech. " The problem "results from the inability to place information in the correct brain centers and retrieve it when it is wanted or needed."
- **Perceptual Motor Disability.** Individuals with this disability have trouble with coordination that may result in the inability to use small classroom tools.
- **Hyperactivity**. These individuals may be constantly moving, having trouble controlling their muscle activity.
- **Impulsivity**. It is often difficult for these individuals to focus and they may act without thinking through their actions.
- **Distractibility**. Individuals are unable to differentiate between the importance of different stimuli and therefore manifest disorganization.

- **Abstraction.** These individuals have trouble "transferring concrete information to abstract applications" (22-23).

Physical Disabilities/Systemic Illnesses

A physical disability or systemic illness is any physical ailment that inhibits a major life activity. It includes everything from Lou Gehrig's disease and Cerebral Palsy to back pain and amputations.

Head Injury/Traumatic Brain Injury

Our nation's special education law, the Individuals with Disabilities Education Act (IDEA), defines traumatic brain injury, in 34 *Code of Federal Regulations* §300.7(c)(12), as "...an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a [person's] educational performance. The term applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psycho-social behavior; physical functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma."

Psychiatric/Psychological Disabilities

A psychological disability is defined as a persistent psychological or psychiatric disorder or emotional or mental illness resulting in impairment of educational, social or vocational functioning as reported by a mental health professional, based on a diagnosis from the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, (DSM V).

Some examples of psychological disabilities include bi-polar and depressive disorders, schizophrenia, personality disorders, post-traumatic stress disorders, anxiety disorders, adjustment disorders, etc. Although diagnosed with a psychological disability, an individual's functioning may be extremely variable relative to medication, stress or factors associated with the disability.

Deaf/Hard of Hearing

"Deaf" or "hard of hearing" can be defined as "partially or wholly lacking or deprived of the sense of hearing." Individuals who are deaf or hard of hearing prefer these terms over many of the others commonly used. They feel that these adequately describe their condition without added negative connotations. "Deaf and dumb" and "deaf mute" are often associated with stupidity or lack of intellectual competence. These terms also imply the inability to speak or the impairment of vocal function, which is not the case. People who are deaf or hard of hearing can use their vocal cords, but because they cannot hear their voice to moderate it, they generally don't. "Hearing impaired," most commonly used by hearing people as a politically correct term, implies that something is broken and focuses on what the deaf individual cannot do. However, some deaf or hard of hearing individuals who do not use sign language may not mind the term.

Blind/Low Vision

People with a blind or low vision disability include those with conditions ranging from the presence of good usable vision, low vision, or the absence of any sight at all, resulting in total blindness.

NATIONAL VOTER REGISTRATION ACT

Summary

The Colorado Secretary of State, Elections Division, summarizes the NVRA as "a federal civil rights law that was enacted in 1993 to enhance voter registration opportunities. Section 7 of the NVRA requires public assistance agencies and agencies primarily serving persons with disabilities to offer voter registration services to all persons applying for benefits, recertifying or renewing their eligibility, or whenever a client changes an address while maintaining client confidentiality. Colorado law requires all agency sites to comply with the NVRA" (Agency-Based Voter Registration Pursuant to Section 7 of the NVRA: Implementation Guide for Colorado Public Assistance Agencies, May 17, 2010).

Background

In a recent court case, the United States of America filed suit against the State of New York, the CUNY and SUNY systems, and many others for failure to implement the NVRA in the college and university disability student services offices. The educational systems relented and agreed to begin implementation. The Secretary of State in Colorado, in an effort to be proactive and avoid a similar lawsuit, required that all disability student service offices in colleges and universities in the state of Colorado begin implementation of the NVRA. MCC is fully compliant with the NVRA.

Requirements

Under the State of Colorado's policy and procedure, every institution with an office of disability student services must designate an NVRA Site Coordinator. The Site Coordinator is responsible for ensuring that the institution is in compliance, educating those who directly implement the NVRA, ensuring an adequate supply of current Colorado Voter Registration forms are available, promoting voter registration services, resolving site questions and problems, and reporting voter registration

statistics to the Colorado Secretary of State Elections Division on a monthly basis. At MCC, this is the ADA Coordinator.

When a student with a disability comes in to apply for assistance, renew assistance, or change an address, the ADA Coordinator must request that the student complete a Declination form. (It is the bottom portion of a single page. The top portion is titled "Agency-Based Voter Registration.") If the student checks or marks one of the top two options ("Yes, I want to apply to register to vote today" and "Yes, I am currently registered to vote and want to change my address, political party, or other information on my voter registration"), then the student must be provided with a green Colorado Voter Registration Form (the second CC page is yellow). They may complete it and turn it in themselves, or they may request that the ADA Coordinator turn it in for them. If they request that the ADA Coordinator turn it in for them, then 10 days are allotted to do so. Only five days are allotted as it gets closer to registration deadlines before elections. Addresses for turning in the form are on the back.

Students who check or mark one of the final two options ("No, I do not want to apply to register to vote today" and "No, I am currently registered to vote and do not want to update my information") are not given a Colorado Voter Registration form. If a student refuses to complete a Declination form, make a notation of the event for future reporting. At the beginning of every month, the NVRA Site Coordinator is sent an email with a link to an online reporting survey. Declination forms are used to complete this survey. All Declination forms must be kept for one year.

Contact Information/Resources

Links to the NVRA and other materials can be found at www.elections.colorado.gov.

As of July 8, 2011, Scott Gessler is the Colorado Secretary of State.

Colorado Secretary of State
Elections Division
1700 Broadway, Suite 270
Denver, CO 80290

Phone: 303-894-2200
Fax: 303-869-4861
elections@sos.state.co.us

State Elections Division
303-894-2200 x6307

Lisa Doran is the NVRA Site Coordinator point of contact for the Colorado Secretary of State, Elections Division.
303-894-2200 x6104

Online Voter Registration at www.govotecolorado.com.

POLICIES AND PROCEDURES

ABE Procedure for Self-Identification and Accommodation Acquisition

1. A student shares with someone in the Adult Basic Education (ABE) program, typically the teacher or intake staff, that they have a disability.
2. The teacher or staff member talks to the Learning Needs Coordinator for ABE about the student disclosure.
3. The Learning Needs Coordinator for ABE meets with the student to inquire if the student wants accommodations beyond the Learning Tools available at ABE. If yes, students are counseled to speak with the ADA Coordinator for MCC. (If the student is under 21 years of age, a separate procedure is followed.)
4. The Learning Needs Coordinator for ABE sends a copy of the student's basic enrollment form to MCC's ADA Coordinator.
5. If the student provides documentation to the Learning Needs Coordinator, the documentation is immediately sent to the ADA Coordinator at MCC with an account of the conversation that may have taken place between the student and the Learning Needs Coordinator.
6. The ADA Coordinator will review any documentation received and make a concerted effort to contact the student to set up an appointment.

7. When meeting with the student, reasonable accommodations are agreed upon. A Letter of Accommodation is completed and signed by both the student and the ADA Coordinator. Any other relevant forms are completed and signed by the student.
8. The student is then responsible for sharing the LOA with their instructors and obtaining their signature. Instructors are encouraged to keep a copy for their records.
9. Students should return the instructor signed copy of the LOA to the ADA Coordinator so a copy can be kept in the student's file. The student should keep a copy as well.

Alternate Text Policy

Students in need of alternate texts (audio books, brail, enlarged print, etc.), as per accommodations made based on the documentation of their disability, must notify the ADA Coordinator at least 4 weeks before the start of their class. Failure to give appropriate notification may result in the arrival of the text after the semester has begun.

Procedure

1. The student verifies with the ADA Coordinator that alternate texts, provided through the college, are available to them.
2. The student discusses, with the future instructor, the text and edition that will be used in class.
3. The student purchases a copy of the class materials.
4. The student fills out the Alternate Text Request form and turns it in to the ADA Coordinator with a receipt at least 4 weeks prior to the start of class.
5. The ADA Coordinator works to acquire the alternate text and notifies the student when it has arrived and is available for use by the student.

Appeal Policy and Process

Students working with the ADA Coordinator to receive accommodations are entitled to file a grievance against decisions made on their behalf. In order to provide for the prompt and equitable resolution of grievances, Morgan Community College requires grievances regarding accessibility to be handled in the following manner:

1. If a student should want to file a grievance regarding accessibility and/or accommodations, the student should first discuss the grievance with the ADA Coordinator, Daniel Marler, in Student Services, room 141, call (970) 542-3157 or email him at dan.marler@morgancc.edu.
2. If the student is not satisfied with the outcome of the meeting, the student can set up a meeting with the VP of Student Success and discuss the issue with him.
3. The ADA Coordinator and the VP of Student Success will then meet within 14 days to review the grievance.
4. The student will be notified in person, in writing, or both of the outcomes.

Attendance as an Accommodation

Attendance can be a reasonable accommodation. There is case laws that sets forth the elements the Office of Civil rights, through the US Department of Education, uses in determining whether an academic requirement is an essential requirement:

1. The decision is made by a group of people who are trained, knowledgeable and experienced in the area;
2. The decision makers consider a series of alternative as essential requirements; and
3. The decision follows a careful, thoughtful and rational review of the academic program and its requirements.

In some cases attendance will be fundamental to a course objective; for example, students may be required to interact with others in the class, to demonstrate the ability to think and argue critically, or to participate in group projects. In other instances, faculty may determine that students can master course content despite some or many absences. In the instances where class participation is fundamental, the college will use the following criteria to weigh the significance of attendance against the student's need to miss classes:

a. Do student contributions constitute a significant component of the learning process?
b. Does the fundamental nature of the course rely upon student participation as an essential method for learning?
c. To what degree does a student's failure to attend constitute a significant loss to the educational experience of other students in the class?
d. What is the method by which the final course grad is calculated?

Regardless of the student's disability, the student remains responsible for fulfilling the essential requirements of the course. (Written, in large part, by CCCS Legal Council.)

Common Accommodations

Alternative testing arrangements: time and place	Calculators
	Word processors
Alternative classroom locations	Note takers/sharing of notes
Extra time: testing and quizzes	Interpreters
Recording of responses	Readers
Alternative test formats	Adaptive equipment
Alternative texts: audio, brail, etc.	Scribed exams
Tape/digital recorders for the classroom	Colored overlays

Concurrent Enrollment Policy

High school students with disabilities who are concurrently enrolled at MCC are expected to be ready for postsecondary work and therefore must advocate for themselves. This means that these students are required to follow the MCC policy for self-identifying as a student with a disability for that class. Without a signed release of information form, it is inappropriate for anyone other than the student to communicate to the ADA Coordinator or the instructors that the student has a disability and/or to request accommodations. Additionally, accommodations cannot alter the essential elements of the course and therefore may differ from accommodations granted in the high school. Reasonable transition services, as approved by the MCC ADA Coordinator, listed in a student's IEP may be appropriate for the high school to continue to administer, such as supportive case management, a notetaker, a district provided attendant, alternate format of textbooks, tests read to the student, etc.

Documentation Policy

Documentation should meet the following guidelines.

1. The credentials of the evaluator(s).

   Documentation must be provided by a licensed or otherwise properly credentialed professional who has undergone appropriate and comprehensive training, has relevant experience, and has no personal relationship with the individual being evaluated. A good match between the credentials of the individual making the diagnosis and the condition being reported is expected (e.g., an orthopedic limitation might be documented by a physician, but not a licensed psychologist). Documentation should be provided on official letterhead with the name, title, professional credentials, address, phone number, and signature of the evaluator, as well as the date of the report.

2. A diagnostic statement identifying the disability.

   Documentation should include a clear diagnostic statement. While diagnostic codes from the Diagnostic Statistical Manual of the American Psychiatric (DSM) or the International Classification of Functioning,

Disability, and Health (ICF) of the World Health Organization are helpful, a full clinical description may also convey the necessary information.

3. A description of the diagnostic methodology used.

   Documentation should include a description of the diagnostic criteria, evaluation methods, procedures, tests, and dates of administration, as well as observations, specific results, and a clinical narrative. Where appropriate to the nature of the disability, both summary data and specific test scores, including subtest and index scores, should be included. Data should be based on age norms and reported as standard scores and percentiles. Diagnostic methods that are congruent with the particular disability and current professional practices in the field are recommended. For example, assessments for learning disabilities should include at least one measure of aptitude and measures of achievement in reading, math, and written language.

4. A description of the current functional limitations.

   Information on how the disability currently impacts the individual provides useful information for both establishing a disability and identifying possible accommodations. The documentation should be thorough enough to demonstrate whether and how a major life activity is substantially limited by providing a clear sense of the severity, frequency, and pervasiveness of the condition. The age of acceptable documentation is dependent upon the disability. While relatively recent documentation is recommended in most circumstances, older documentation for conditions that are permanent or non-varying may be appropriate. Likewise, changing conditions and/or changes in how the condition impacts the individual brought on by growth and development may warrant more frequent updates in order to provide an accurate picture of the current status of the student (e.g., learning disabilities, attention deficit-hyperactivity disorder, psychological disorders, and chronic health conditions).

5. A description of the expected progression or stability of the disability.

   It is helpful when documentation provides information on expected changes in the functional impact of the disability over time and context. Information on the cyclical or episodic nature of the disability and known or suspected environmental triggers to episodes provides opportunities to anticipate and plan for varying functional impacts.

6. A description of current and past accommodations, services, and/or medications.

A description of current and past accommodations, services, and/or medications will assist the Disability Services staff in determining appropriate accommodations and/or services. A discussion of any significant side effects from current medications that may impact physical, perceptual, behavioral, or cognitive performance is helpful when included in the report. While accommodations and/or services provided in another setting are not binding on MCC, they may provide insight in making current decisions.

7. Recommendations for accommodations and/or services.

   Recommendations for reasonable accommodations and/or services that are logically related to functional limitations provide valuable information for the review and planning process. MCC, however, will make the final determination of reasonable accommodations and/or services.

Interpreter Cancelation Policy

Students utilizing an interpreter provided by Morgan Community College have two responsibilities in relation to this service.

1. In the event that a student utilizing interpreter services must be absent from a class, 24 hours of written notice is required. “Written notice” is defined as notification to the ADA Coordinator and/or the interpreter via email, text message, and/or letter. As a result, the third cancelation without notification may result in a suspension of the student’s right to the interpreter service until the student meets with the ADA Coordinator.
2. Students are expected to attend their classes for which an interpreter has been provided. Students who miss nine or more classes will have their interpreter service canceled for the remainder of the semester. Extenuating circumstances may be considered; however, documentation verifying legitimate and serious reasons for absences must be provided for this consideration. In addition, each instructor’s attendance policy for each class may result in consequences that are separate from this policy and must be considered separate.

Medical Marijuana

The Student Code of Conduct states, “Specific acts which are not in accordance with the MCC Code of Conduct include...Illegally possessing, using, distributing, or manufacturing any narcotic, dangerous drug or controlled substance as classified by Federal, State, or local laws or appearing on campus while under the influence of any illegally-obtained narcotic, dangerous drug, or controlled substance” (number 8).

The possession of marijuana, even for medical reasons, is still considered illegal under Federal Law. Therefore, the possession or use of marijuana for any purpose, medical or otherwise, is in violation of the Student Code of Conduct. Violators will be referred to the Vice President of Student Success for disciplinary action.

Notetaker Policy and Procedure

Students with a disability that prevents them from taking their own class notes are entitled to a notetaker. In order to provide this accommodation, a Notetaker Information Sheet and Notetaker Agreement Form will be provided to the qualifying student. The student will also receive instruction on how to initiate the process of acquiring a notetaker for their class.

1. A student who has self-identified as a person with a disability and who qualifies for a notetaker in their class or classes is provided with the MCC Notetaker Information Sheet and the Notetaker Agreement Form. The student is instructed to share each with the instructor prior to class.
2. The instructor follows the instructions by making an announcement in class that a volunteer notetaker is needed. The beneficiary of the notetaker is kept confidential.
3. If someone volunteers, then the instructor provides the student with the MCC Notetaker Information Sheet (which has the Notetaker Responsibilities on it) and the Notetaker Agreement

Form. If there are no volunteers, then the forms are returned to the ADA Coordinator and something else is worked out.

4. The notetaker volunteer completes the Agreement Form and returns it to the ADA Coordinator, as outlined on both forms.
5. After every class, the notetaker comes to Student Services where copies of their notes are made and left for the student with the disability to pick up.
6. In order to award the notetaker, the ADA Coordinator will have to contact the Purchasing Director and complete the PO process for Personal Service Contracts. This entails completing a Self-Service Requisition, Scope of Work and W9. Once the PO process is complete and the service has been provided, the ADA Coordinator will need to sign off on the PO in the bookstore and a bill will need to be submitted to Accounts Payable in order for a payment to be processed for the notetaker.

Obtaining Accommodations Procedure

1. Students desiring accommodations at Morgan Community College must first self-identify, in accordance to MCC policy, by providing the ADA Coordinator with appropriate documentation of a disability.
2. If necessary, a timely appointment will be set with the ADA Coordinator, allowing for a review of the documentation.
3. During the appointment, the ADA Coordinator and student will discuss desired accommodations and what the documentation supports, coming to an understanding as to what accommodations will be granted. A Letter of Accommodation (LOA) will be drawn up and signed by both parties. Students will sign any other appropriate forms. The ADA Coordinator makes a copy of all documents for the student's file.

4. Students are then responsible for taking the LOA to each of their instructors to acquire signatures. Instructors are encouraged to make a copy for their records.
5. Students should bring the LOA back to the ADA Coordinator to keep a copy on file in the event of a conflict over accommodations with any instructor. The student should also retain a copy.

Obtaining a Reader or Sign Language Translator Procedure

When a student is granted a translator or reader based on the documentation of their disability, the following procedure guides the acquisition of personnel.

1. The ADA Coordinator may choose a person they are acquainted with to fill the position of translator or reader as long as they meet the following criteria.
    a. The person must be proficient in translating or reading.
    b. The person must provide three personal or professional references that can vouch for the work ethic of the person.
    c. The cost of using the ADA Coordinator's choice must be comparable or less than the average cost of other readers and translators.
2. If the ADA Coordinator does not know any readers or translators, they may advertise around MCC's campus or make phone calls to other businesses and organizations in Ft. Morgan to advertise the position.
3. Once a reader or translator is chosen, the ADA Coordinator will complete one of two forms:
    a. Personal Requisition Form for one-time or sporadic work.
    b. Contract Request Form for consistent weekly work over the course of the semester. (Can be picked up or emailed from Human Resources.)
4. If applicable, the ADA Coordinator contacts instructors and obtains a copy of the semester's syllabus and class schedule and makes copies.

5. The ADA Coordinator then provides the reader or translator with copies of the syllabus and class schedule. Readers will be given a schedule of when tapes are expected to be completed and turned in to the ADA Coordinator.
6. Throughout the semester, on the schedule provided, the reader turns tapes in to the ADA Coordinator. The Coordinator then contacts the student and provides them with the reader's tapes.

Record Retention Policy

The ADA Coordinator at Morgan Community College is required to keep all records of students with disabilities for a minimum of five years. After the student has left the college and has continuously not been enrolled as a student, the documents may be destroyed. Because most documentation of disabilities for current students must be at least five years old, once the student has been gone five years, there's no reason to retain the documents. The expired documents must be shredded by the ADA Coordinator. Students, who return after documents have been shredded, must obtain new documentation of their disability in order to obtain accommodations.

Self-Identification Policy

A student desiring accommodations (which include the use of technological aids, translators, readers, etc.) has the obligation to self-identify as a student with disabilities. A student has self-identified when appropriate documentation is provided by the student to the ADA Coordinator. The documentation must verify the student's disability and support their need for accommodation.

Staff or Instructor Procedure Referral of Students to ADA Coordinator

1. Students who express to faculty/staff that they have a disability and/or a need for accommodation are asked to contact/visit the ADA Coordinator. Faculty/Staff then contact the ADA Coordinator themselves, providing the student's name.
2. The ADA Coordinator will make contact with the student to determine if assistance and/or a conference are requested.
3. Students, at this point, follow the procedure for obtaining accommodations.

Student Accommodations and Aids Policy

Students who have provided the proper documentation under MCC's Self-Identification and Documentation Policy may be entitled to a number of accommodations upon request. The ADA Coordinator makes all decisions based on the request of the student and the documentation of the disability.

- A student who has documentation recommending an accommodation, but does not request or desire an accommodation, may not be granted it. They may at any time visit the ADA Coordinator and request the accommodation.
- Students who request an accommodation, but do not have documentation showing a necessity for that particular request may be denied that accommodation until the student provides appropriate documentation showing a need for it.

Tape-Recorded Lecture Policy Agreement

Students with disabilities who are unable to take or read notes have the right to tape-record class lectures for their personal study only. Lectures taped for this purpose may not be shared with other people without the consent of the lecturer. Tape-recorded lectures may not be used in any way

against the lecturer, other faculty members, or students whose classroom comments are taped as a part of the class activity. Information contained in the tape-recorded lecture is protected under federal copyright laws and may not be published or quoted without the express consent of the lecturer and without giving proper identity and credit to the lecturer.

Technological Equipment Use Policy

Morgan Community College makes certain technological aids available for students. The use of MCC's technological aid must meet an appropriate, related and documented accommodation need. Upon student request, the ADA Coordinator will review the student's documentation and determine if the technological aid acts as an appropriate accommodation. If appropriateness and documentation align, the ADA Coordinator will contact the student for an appointment where the student will sign out the equipment, taking possession of and responsibility for the technological aid. Loss or damage to MCC property will result in financial charges to the student and a hold placed on their account until payment for the item is received.

MCC technological aids available include, but are not limited to, the following:

- Tape-recorders/digital recorders
- Laptops
- Talk and Listen Transmitter
- Read and Write Gold Mobile

RESOURCES

Morgan Community College ADA Coordinator Library

Adams, L., et al. (1994) Attention deficit disorders: A handbook for Colorado educators. Colorado: Colorado Department of Education.

Dolber, R. (1996) College and career success for students with learning disabilities. Lincolnwood, IL: VGM Career Horizons.

Mooney, J. and Cole D. (2000) Learning outside the lines: Two ivy league students with learning disabilities and ADHD give you the tools for academic success and educational revolution. New York: Simon & Schuster.

Nadeau, K. G. (2006) Survival guide for college students with ADHD or LD (2nd ed.) Washington, D.C.: Magination.

Reiff, H. B. (2007) Self-advocacy skills for students with learning disabilities: Making it happen in college and beyond. Port Chester, New York: Dude.

Smith, C. and Strick, L. (1997) Learning disabilities: A to Z: A parent's complete guide to learning disabilities from preschool to adulthood. New York: Simon & Schuster.

Tucker, B.P. (1998) Federal disability law: In a nutshell. (2nd ed.) Minnesota: West Group.

Winebrenner, S. (1996) Teaching kids with learning difficulties in the regular classroom: Strategies and techniques every teacher can use to challenge & motivate struggling students. Minneapolis, MN: Free Spirit Publishing.

LISTSERVs

DSSHE-L (Disabled Student Services in Higher Education Listserv)

> Write to LISTSERV@LISTSERV.BUFFALO.EDU and, in the text of your message (not the subject line), write: SUBSCRIBE DSSHE-L

Consortium of Support Programs for Students with Disabilities

Contact:
Dr. Joie Williams
Director
Office of Disability Services
Regis University
Denver, Colorado
303-458-4941
mbwillia@regis.edu

Professional Organizations

AHEAD (Association on Higher Education And Disability)

> http://www.ahead.org/

LDA (Learning Disabilities Association of America)

> http://www.ldanatl.org/

Consortium of Support Programs for Students with Disabilities

Contact:
Dr. Joie Williams
Director
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303-458-4941
mbwillia@regis.edu

Tips for Working with Students with Disabilities

1. Always respect the student's desire for confidentiality: check with the student first, before verbalizing anything related to the student's disability or their accommodations.
2. Provide the student with preferential seating.
3. Provide larger copies or copies with a larger font for those with low vision or blindness.
4. Be aware of assistive technology.
5. Allow audio taping. (Students can sign a contract protecting the instructor, other students, and MCC in the ADA Coordinator's office.)
6. Facilitate the sharing of notes between students with the disability and other students.
7. Be aware of how medication may affect student behavior.
8. For the hearing impaired:
    a. Face the student when speaking and don't obscure your lips or face.
    b. Repeat questions or comments made by students in the class.
    c. Speak clearly and at a normal speed.
    d. If an interpreter is present, speak directly to the student, not the interpreter.
    e. Use visual aids.
9. Allow extra time for students to ask and answer questions.
10. In planning and presenting lessons, consider teaching to the different intelligences: linguistic, logical-mathematical, visual-spatial, musical-rhythmic, bodily-kinesthetic, interpersonal, intrapersonal, and naturalist.
11. Organize lectures to include a summary of the previous lesson, overview of the current lesson, and a summary at the end of the lesson.
12. Use a variety of assessment and evaluation tools: oral, written, presentations, etc.
13. Have all handouts typed.

14. Ask for and provide frequent feedback.
15. Provide office hours and encourage visits.
16. Allow laptops for note-taking.
17. When conversing with someone in a wheelchair, sit or kneel if conversations take longer than a few minutes.
18. Don't hang on someone's wheelchair. (A wheelchair is considered someone's personal space.)
19. Don't try to counsel; refer them to a trained individual to discuss their personal issues.
20. Don't complete the student's sentences.

Required OCR and ADA Statements for All Faculty Syllabi

OCR Statement

The College prohibits and will not tolerate discrimination that violates federal, state law, or Board Policy 3-120. The College does not discriminate on the basis of race, age, color, religion, national origin, sex, sexual orientation, marital status, veteran status, or disability. The College complies with Titles VI and VII of the Civil Rights Act of 1964, the Civil Rights Act of 1991, the Education Amendments of 1972 (Title IX), the Age Discrimination in Employment Act, the Rehabilitation Act of 1973, the Americans with Disabilities Act, Executive Order 11246, and sections 24-34-301, C.R.S. *et seq*..
For information regarding civil rights or grievance procedures, contact:
Title IX Compliance/Equal Opportunity Officer
Vice President, Student Success
Morgan Community College
920 Barlow Road
Fort Morgan, CO 80701-4371
970-542-3100 or 1-800-622-0216

ADA Statement

Support Services for Students with Special Needs: Morgan Community College complies with and fully supports Section 504 of the Vocational Rehabilitation Act of 1973 with amendments of 1974 as well as the Americans with Disabilities Act (ADA) of 1990. "No qualified individual with a disability shall, by reason of such disability, be subjected to discrimination." Students have the responsibility to self identify to the institution as a person with a disability or special need. Appropriate documentation must be provided to the ADA Coordinator- Dan Marler- 970-542-3157. Students of special populations may be eligible for "reasonable accommodations" so long as they meet and follow MCC policy and procedure. http://www.morgancc.edu/students/accessibility . Those wishing to seek accommodations must speak with Dan Marler, the ADA Coordinator.

Disability Services FORMS:

MORGAN COMMUNITY COLLEGE
STUDENT SERVICES

Alternate Text Request Form

Student Name: _____ S#: _____

Date: _____ Phone #: _____

Sem. Needed: _____ Date Needed: _____

Class/Book Information:

MCC Class/ Instructor	Author	Title	Edition	Publisher/ ISBN#	Copy right Date	Alt. Text Format

MORGAN COMMUNITY COLLEGE

STUDENT SERVICES

AUTHORIZATION TO RELEASE INFORMATION

The following student, _____, has given permission for the release of medical records to the Morgan Community College ADA Coordinator, Daniel Marler.

This authorization will be in effect through the end of the student's academic program or at the time that the student rescinds this authorization in writing. This authorization will also automatically terminate if the student has not taken any courses within one calendar year. The student understands that they have a right to a copy of this authorization and that ADA Coordinator, Daniel Marler, will also receive a copy of this authorization. The student also agrees that a photocopy or fax transmission of this authorization will be accepted as original if necessary.

Specifically, the student has authorized the following information to be released to Morgan Community College.

Institution/Individual	Information	Purpose(s)

Students Signature Date

Social Security Number Date of Birth

ADA Coordinator, Daniel Marler Date

Equipment Check Out

Student Name	S#	Equipment	Out	In

MORGAN COMMUNITY COLLEGE

STUDENT SERVICES

Daniel Marler
ADA Coordinator
Student Services #141
(970) 542-3157

Student Name: _____ Date Issued: _____

S#: _____ Semester: _____

The above-named student has a documented disability which requires the following accommodation(s) or aid(s):

Accommodation/s:

Additional Comments:

We, Daniel Marler, ADA Coordinator, and I, _____, have discussed my accommodations for the _____ semester, and have agreed on the above listed accommodations. These accommodations will **become effective immediately following the instructor's signature** and remain in effect **until the completion of the _____ semester**.

_____ _____

ADA Coordinator Signature Date Student's Signature Date

Instructors: Please sign the student copy indicating that you have received a copy of this letter. Retain a copy for your files. (This information is confidential.)

Course	Instructor Name	Instructor Signature	Date

MCC Notetaker Information Sheet

Instructor Responsibilities

3 Steps to Secure a Notetaker

1. Make an announcement in your class about the volunteer notetaker position. The announcement can be something like the example below.
    - "A fellow student in this class is in need of a volunteer notetaker. Notetakers are expected to take quality notes on the instructor's lectures for the entire semester/length of the class. As an incentive, you will be paid $50 at the end of the semester for your time and effort. Interested persons will need to complete the 'Notetaker Agreement Form' and return it to Dan Marler in Student Services."
2. Select one person to be the notetaker, preferably someone you are familiar with and know will take quality notes.
3. Provide the notetaker with this flyer and the "Notetaker Agreement Form."

Other Important Information

- When announcing, do not reveal the name of the student who needs a notetaker.
- Do not give the Letter of Accommodation to the notetaker (this should come from the student to you only).
- After you have selected a notetaker, send them to see the ADA Coordinator in Student Services with the "Notetaker Agreement Form."
- If you are not able to secure a notetaker, please contact the ADA Coordinator right away.

Notetaker Responsibilities

"I've agreed to be a notetaker…now what?"

You have volunteered to supply classroom notes for a student with a disability. Obtain the "Notetaker Agreement Form" from your instructor and visit the ADA Coordinator in Student Services as soon as is conveniently possible, with the completed form.

At the end of each class period, please visit Student Services and have them make copies of your notes to be delivered to the ADA Coordinator. The ADA Coordinator will make sure they get to the student. To help make sure that the right notes get to the right student, please include the name of the class, the instructor, and your name on the top of each page of notes.

Other Important Information

- When the student who needs a notetaker does not attend your class, s/he will not receive a copy of your notes. However, please continue to take them in case the student should show up late.
- If the student does not show up for three consecutive classes and you are not contacted by the ADA Coordinator, please contact his office. You will be notified if services are canceled.
- Notes must be dropped off/copied in Student Services as soon as possible after each class period.
- The student will make arrangements with the ADA Coordinator to pick up the notes.
- At the end of the semester, you will collect your gift certificate to the MCC Bookstore from the ADA Coordinator, after signing for it.

ADA Coordinator
Student Services, Room 141
970-542-3157
970-542-3114 (fax)
dan.marler@morgancc.edu

Notetaker Agreement Form

Notetaker Name: _____

Address: _____ Year: _____ Semester: _____

City: _____ Zip: _____ Course Name/Number: _____

Home Phone: _____ Class Start Time: _____

Cell Phone: _____ Days: _____

Email Address: _____

I am registered for the above specified class and I agree to voluntarily provide a complete set of class notes shortly after each class period to the ADA Coordinator, who will distribute them to another student in the class.

_____

Notetaker Signature Date

To be signed by the notetaker at the end of the semester/class

I have fulfilled the expectations of the ADA Coordinator as a notetaker for the above specified class and accept this $50 for my services.

_____

Notetaker Signature Date

MORGAN COMMUNITY COLLEGE

STUDENT SERVICES

Tape-Recorded Lecture Policy Agreement

Students with disabilities who are unable to take or read notes have the right to tape-record class lectures for their personal study only. Lectures taped for this purpose may not be shared with other people without the consent of the lecturer. Tape-recorded lectures may not be used in any way against the lecturer, other faculty members, or students whose classroom comments are taped as a part of the class activity. Information contained in the tape-recorded lecture is protected under federal copyright laws and may not be published or quoted without the express consent of the lecturer and without giving proper identity and credit to the lecturer.

PLEDGE: I have read and understand the above policy on tape-recorded lectures at Morgan Community College, and I pledge to abide by the above policy with regard to any lectures I tape while enrolled as a student at MCC.

_____

Student Signature and Date

_____

Witness Signature and Date