

**POLICIES AND PROCEDURES
REGARDING STUDENTS WITH DISABILITIES**

POLICIES

IT IS THE POLICY OF COUNTY COLLEGE OF MORRIS TO ASSURE THAT PERSONS WITH DISABILITIES ARE NOT DISCRIMINATED AGAINST BECAUSE OF THEIR DISABILITY AND THAT THEY HAVE EQUAL EDUCATIONAL OPPORTUNITIES

I. GENERAL INFORMATION:

A. Definition of Disability

A “person with a disability” is defined as a person who has or is regarded as having any mental or physical condition that substantially impairs or restricts one or more major life activities such as performing normal tasks, walking, seeing, hearing, speaking, breathing, learning and working. This includes, but is not limited to, such disabling conditions as visual impairment, psychological/emotional disabilities, speech and/or hearing impairment, mobility impairment, chronic medical condition or learning disabilities.

B. Federal Law

In accordance with federal law, a student will be considered to have a disability if the student:

1. has a physical or mental impairment,
2. has a record of such impairment, or
3. is regarded as having such an impairment which substantially limits on or more major life activities including but not limited to walking, seeing, hearing, speaking, breathing, reading, writing, concentrating, learning, or the operation of a major bodily function.¹

II. COMPLIANCE WITH SECTION 504 OF THE REHABILITATION ACT OF 1973², THE AMERICANS WITH DISABILITIES ACT (ADA) OF 1990, AND THE ADA AMENDMENTS ACT OF 2008¹:

County College of Morris personnel shall not deny any disabled student who is otherwise qualified, participation in any program or course because of the disability.

County College of Morris’ Published Compliance Statement states the following:

County College of Morris policies prohibit discrimination on Section 504 and ADA in its educational programs, activities, or employment and admissions practices. Inquiries regarding Section 504 and ADA compliance may be directed to the Affirmative Action Officer at (973) 328-5039 or by mail at County College of Morris, 214 Center Grove Road, Randolph, New Jersey 07869-2086.

III. REASONABLE ACCOMMODATIONS

Accessibility to college programs is accomplished through the provision of “reasonable accommodations” which are defined as those modifications and/or use of auxiliary aids which equalize opportunity to acquire and demonstrate mastery of information and skills. Eligibility for the use of reasonable accommodations and/or auxiliary aids is based on medical and/or professional documentation of the disability and continuing need for students who have identified themselves as disabled. It is the student’s responsibility to request appropriate reasonable accommodations. Reasonable and appropriate accommodations will be determined on a case-by-case basis by the professional staff of the Contact Office as defined in section 1 of the Procedures. Provision of authorized accommodations will be a cooperative effort involving faculty, staff, and administrators. Students must use accommodations in a reasonable manner.

The College may refuse to provide an accommodation that is inappropriate or unreasonable including any that:

1. pose a direct threat to the health or safety of others;
2. constitute a substantial change or alteration to an essential element of a course or program;

3. pose undue financial or administrative burden on the College.

IV. ELIGIBILITY

- A. To be eligible to receive services, a student with disabilities must:
 1. Self-identify to the Disability Services Office (as defined in section 1 of the Procedures section).
 2. Provide documentation from an appropriate professional containing information sufficient to determine the impact of the disability on the student at the college level. Submission of supporting documentation must be made in a timely manner, allowing for reasonable processing time.
 3. Services shall commence only after the student has self-identified and all documentation has been received and processed. Services will not be retroactive to the start date of the semester and will only be effective from date of eligibility, as determined by the Disability Services office personnel, and moving forward after the initial date of eligibility.
 4. Have the ability to benefit from the academic program in which the student is enrolled and must have a reasonable chance of success in that program with reasonable accommodations.
- B. All students with disabilities must demonstrate (with reasonable accommodations) acquisition of skills and knowledge required for successful completion of courses in which they are enrolled.

V. APPEAL/GRIEVANCE RIGHTS

Students shall have the right to appeal/grieve decisions regarding compliance with these policies or the laws referred to in this policy, including the determination of eligibility or the provision of reasonable accommodations. The appeal/grievance procedures are set forth in section 6 of the Procedures.

VI. CONFIDENTIALITY

Appropriate confidentiality will be maintained concerning the students' disability, except as required by law, or on a need-to-know basis, or where there is an imminent risk of harm to the student or others. Confidential records will be maintained for a period of two (2) years, after which they will be destroyed in accordance with the college's Records Retention and Disposition Schedule policy.

VII. APPLICABILITY AND ACCESSIBLE FORMAT OF COLLEGE POLICIES

All college policies and procedures as published in the college catalog and other publications shall be applicable to students with disabilities. All college policies and procedures shall be available in formats which allow accessibility to persons with disabilities. All students, including those with disabilities, must abide by the academic and conduct policies as stated in the college catalog and the student code of conduct.

VIII. CONFORMANCE TO LAW

This policy for the provision of services to students with disabilities shall be applied in conformance with current law. In the event of any conflict with local, state, or federal law, the relevant legal requirements will supersede the provisions of these policies which are in conflict with the amended or new legal requirements. Any policy related terms which are not herein defined shall be defined by the relevant law or regulation adopted and pursuant to the Americans with Disabilities Act (ADA) and Section 504 of the National Rehabilitation Act.

PROCEDURES

1. The following office at County College of Morris will serve as the Contact Office for students with disabilities (students must self-identify) - the Disability Services Office. All students seeking accommodations (physical, emotional, medical, vision, hearing, sensory or learning conditions) are documented through the office of Disability Services. The telephone number is 973-328-5284.
2. Procedure for Informing Students and Potential Students about Support Services
 - a. Descriptions of services available to students with disabilities will appear in the CCM College Catalog along with information about the appropriate Contact Office.
 - b. The following statement will be sent to each student with his or her acceptance letter:

Any student who has a disability and is in need of reasonable accommodations should contact the following office:
Disability Services at (973) 328-5284
3. Application for Services Process:

The following guidelines were developed to assure that documentation will provide sufficient information to verify eligibility and to support requests for accommodations in a timely manner:

 - a. Learning Disabilities
 - i. Testing submitted must have been completed by qualified personnel: Qualifications of the Evaluator Professionals conducting assessments, rendering diagnoses of specific learning disabilities, and making recommendations for appropriate accommodations must be qualified to do so. Trained and certified and/or licensed psychologists, learning disabilities specialists (LDT-Cs), and educational therapists are typically involved in the process of assessment.
 - ii. Testing documents submitted should represent the most recent evaluation available. Documents that are three years old, or less, are recommended; other documentation will be considered, and additional documentation will be requested, if deemed necessary to process a student's request for services.
 - iii. Testing documents should be comprehensive in nature and include both a full cognitive (psychological) evaluation along with a learning (educational) evaluation.
 1. Cognitive: The Wechsler Adult Intelligence Scale-IV (WAIS-IV) is preferred. The Woodcock-Johnson Psycho-Educational Battery-Revised: Tests of Cognitive Ability and the Stanford- Binet Intelligence Scale: Fourth Edition are also acceptable. Note: The Slosson Intelligence Test, Weschler Abbreviated Scale of Intelligence (WASI) and the Kaufman Brief Intelligence Test (KBIT) are not acceptable.
 2. Educational: Current levels of functioning in reading, mathematics, and written language are required. Acceptable instruments include the Woodcock-Johnson Psycho-Educational Battery- Revised: Tests of Achievement or the Wechsler Individual Achievement Test (WIAT). Note: The Wide Range Achievement Test is not acceptable.
 - iv. Evaluation of impact - Identification of the substantial limitation on a major life activity presented by the disability, and a description of the current functional impact of the disability in a college setting. The assessment should validate the need for services based on the impact of the student's disability and level of functioning in an educational setting.
 - b. Sensory/Medical/Emotional
Documentation must include the following information:
 - i. Diagnosis - A current medical diagnosis including appropriate medical reports, relevant medical history, and a clinical summary. Documentation must be provided by a doctor or other medical professional with training and expertise related to the particular medical condition identified. The diagnostic report must be submitted on official letterhead with name(s), title(s), professional credentials, address, and telephone/number of the person providing the documentation. All reports must be signed and dated. Handwritten notes on prescription pads or handwritten treatment records will not be accepted.

- ii. Current treatment – It is helpful to include identification of treatment, medications, assistive devices, or other services currently prescribed or in use
- iii. Evaluation of impact - Identification of the substantial limitation on a major life activity presented by the disability, and a description of the current functional impact of the disability in a college setting. The assessment should validate the need for services based on the impact of the student's disability and level of functioning in an educational setting.
- iv. Specific recommendations - Suggested accommodations and/or academic adjustments, with an explanation supporting the need for each accommodation to achieve equal access.

In order to establish eligibility as an individual with a disability, the student must submit documentation that is comprehensive and appropriate to a postsecondary setting, and that clearly specifies the presence of a disability. Documentation must be current (psychiatric, psychological & medical documentation must be no more than one year old); if the documentation is not current, students may be required to submit updated information and/or documentation. Documentation for conditions that are solely medically based must be updated every 12 months.

Any specific recommendations for accommodations must be based on significant functional limitations and must be supported by the diagnostic assessment. Accommodations and academic adjustments cannot be implemented until the student's documentation meets these criteria. Prior history of having received an accommodation does not, in and of itself, warrant or guarantee its continued provision. An Individualized Education Plan (IEP) or a 504 Plan is not always sufficient documentation of a disability.

Submission of documentation is not the same as the request for services. The student must also complete an Application for Disability Services, and should follow up with the Disability Services office to ensure that all paperwork has been received and all procedures have been followed. The Disability Services office is ultimately responsible for determining appropriate accommodations, if any, based on the documentation provided.

4. Procedures for Using Reasonable Accommodations

- a. Academic Accommodation Forms will be available at the beginning of each semester. Students are responsible for picking up their forms from the Disability Services office and distributing accommodation notices to each professor.
 - i. Accommodation notices will only be produced for those students that have self-identified, provided supporting documentation and have been determined to have eligibility by the Disability Services office.
 - ii. Notices will not be automatically produced for those students who have previously been deemed eligible for services, but have not obtained copies of their accommodation notices for two (2) consecutive semesters. Accommodation notices will be produced for these students upon timely request, within 72 hours of the request.
 - iii. Students are encouraged to make an appointment with each of their professors. At that time, the student should give the professor the form and discuss with him/her what academic adjustments the student is likely to need in that particular class and how they will be carried out. The student is responsible for returning the form signed by professors to the Disability Services office. It is recommended that the student return this form within the first two weeks of obtaining their accommodation notices.
 - iv. Requests made for educational accommodations after the start of the semester will be bound by the same criteria as requests made prior to the start of the semester. Once eligibility for services is established, the receipt and use of such services shall begin only after the determination of eligibility. Retroactive relief from academic test scores or course grades received prior to the date of Application for Services from the Disability Services office will not be granted. The use of academic accommodations will be effective prospectively from the date of determination of eligibility, and will not be applied to prior test scores or grades.

- b. Testing modifications: Extended-time and/or “quiet-room” tests shall be proctored by the professor if feasible. Backup will be provided by the appropriate office (Disability Services or Testing Services) if the professor cannot proctor the test.
 - i. Written instructions from the professor are required if one of the testing services on campus administers the test.
 - ii. Faculty may send or bring their tests to Disability Services where they will be kept under strict security. After completion, the faculty member may pick up the test at the Disability Services office or arrange for delivery under secure conditions.
 - iii. Proctors who act as scribes or readers will read test items/written responses exactly as given. Proctors will not provide additional information, interpretation, or definitions about test items unless specifically included as part of the modification provided to the student.
 - iv. Tests will be administered in accordance with written instructions from the professor.
 - c. Audio recording of classes:
 - i. Each student for whom recording lectures is an appropriate academic adjustment will be required to sign an Audio Recording agreement (Attachment I).
 - d. Note-takers, scribes, and sign-language interpreters:
 - i. Note-takers and scribes will write down what is said and nothing more.
 - ii. Interpreters will translate only.
 - e. Aides/personal assistants:
 - i. The College does not provide personal assistants or services of a personal nature (including assistance with eating, toileting, dressing, or locomotion around campus).
 - f. Equipment:
 - i. The institution does not provide personal devices such as wheelchairs or individually prescribed devices such as hearing aids.
 - g. Building and room location:
 - i. When necessary, classes may be moved to an accessible location to accommodate a student with impaired mobility, or under documented special circumstances.
 - ii. This determination shall be made by the appropriate professional in Disability Services in conjunction with the faculty member and the head of the department for that course.
 - h. Field trips:
 - i. If a field trip is scheduled for a class in which a disabled student is enrolled and transportation is provided by the College, the transportation will be accessible.
 - ii. Field trips and field experiences for courses in which students with disabilities are enrolled must be made to accessible sites, or alternative field trips/experiences must be offered to the entire class unless the field trip or experience in question is an essential component of the course and no reasonable alternative exists.
5. Procedure for Disposition of Records:
- a. Students with disabilities who have requested accommodations but have not attended CCM for a period of 2 years, either due to graduation, termination or non-registration, will have their records destroyed in accordance with the college’s Records Retention and Disposition Schedule policy.
6. Appeal/Grievance Procedure:
- a. In the event of a dispute regarding compliance with applicable laws, college policy, or academic adjustments, the student or faculty member initiating the process shall provide a written statement to the Director of Disability Services, the department chair, and any faculty member or student involved within ten (10) working days of the incident or circumstance.

- b. It shall be the responsibility of the Disability Services office to set up a meeting with all concerned parties within five (5) working days of receipt of the complaint.
- c. During this meeting, each side will have the opportunity to make a presentation of their interpretation of the dispute, and the Coordinator will act as mediator. Every attempt will be made to affect a mutually agreeable solution. If an agreement is not reached at this meeting, the Coordinator will immediately forward the complaint to his/her Dean or Director who will respond in writing to all parties within ten (10) working days.
- d. The Director of Academic Services will be the responsible party for all disputes arising from a faculty member initiating the process. The Dean of Student Development will be the responsible party for all disputes arising from a student initiating the process.
- e. Any person dissatisfied with the Dean or Director's decision may appeal to the Vice President of Student Development and Enrollment in writing within ten (10) days of receipt of the decision of the Dean. The decision of the Vice President of Student Development and Enrollment on the appeal shall be final.

ATTACHMENT I

AUDIO RECORDING AGREEMENT
DISABILITY SERVICES

Students with disabilities who have difficulty taking or reading their own notes have the right to audio record class lectures for their personal study only.* Lectures recorded for this purpose may not be shared with other people without the consent of the lecturer. Audio recorded lectures may not be used in any way against the faculty member, other lecturers, or students whose classroom comments are recorded as part of the class activity. Information contained in the 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 UNDESTAND THE ABOVE POLICY ON AUDIO -RECORDED LECTURES AT THE COUNTY COLLEGE OF MORRIS, AND I PLEDGE TO ABIDE BY THE ABOVE POLICY WITH REGARD TO ANY LECTURES I RECORD WHILE ENROLLED AS A STUDENT AT THE COUNTY COLLEGE OF MORRIS.

Signature

Date

Witness

*84.44 of Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112, amended P.L. 93.516)