

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 TO ALL PROGRAMS, SERVICES AND ACTIVITIES OFFERED, WHETHER NON-CREDIT OR CREDIT BEARING.

These policies and procedures address the college's actions for students with disabilities. Procedures addressing the provision of accommodations for employees are managed by the ADA/Compliance Officer in the Office of Human Resources.

I. GENERAL INFORMATION:

A. Definition of Disability

The ADA, ADAA (American with Disabilities Act, 1990 & 2008) defines a person with a disability as a person who has a physical or mental impairment that substantially limits one or more major life activity. This includes people who have a record of such an impairment, even if they do not currently have a disability. It also includes individuals who do not have a disability but are regarded as having a disability. The ADA also makes it unlawful to discriminate against a person based on that person's association with a person with a disability.

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 one or more major life activities including, but 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.

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 student with a disability who is otherwise qualified, participation in any program, service or activity (credit or non-credit) or course because of the disability.

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III. REASONABLE ACCOMMODATIONS

Accessibility to college programs, services or activities 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 along with student input with 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

On behalf of the College, the Contact Office (as referenced under the Accessibility Services Procedures) 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 Accessibility 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 Accessibility Services office personnel, after the initial interactive intake meeting and moving forward after the initial date of eligibility.
 4. Have the ability to benefit from the workforce development or academic program in which the student is enrolled and must have a reasonable chance of success in that program with reasonable accommodations.

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- 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. This process includes all programs CCM offers, whether credit or non-credit, workforce development, virtually or face-to-face, or other programs that may be developed. The appeal/grievance procedures are set forth in section 7 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, as determined by the Dean of Student Development and Enrollment Management, or where there is an imminent risk of harm to the student or others. Confidential records will be maintained for a period of five (5) 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, or on the CCM website 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.

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ACCESSIBILITY SERVICES 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 Accessibility Services Office. All students seeking accommodations (physical, psychological, medical, vision, hearing, sensory or learning conditions, etc.) are documented through the office of Accessibility Services, located in the Sherman H. Masten Learning Resource Center. The telephone number is 973-328-5284. The email address is disabilityservices@ccm.edu.

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, and through the college website along with information about the appropriate Contact Office.
 - b. The following statement will be sent to each student with his or her acceptance letter:
 “If you are in need of reasonable accommodations for physical, learning, medical, or other disabilities, please contact the Office of Accessibility Services at (973) 328-5284. All information provided regarding disabilities will remain confidential.”

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. Standard scores are preferred.
 1. Cognitive: The current version of the Wechsler Adult Intelligence Scale is preferred. The Woodcock-Johnson Psycho-Educational Battery-Revised: Tests of Cognitive Ability is also acceptable.
 Note: The Slosson Intelligence Test, Weschler Abbreviated Scale

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- 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/Psychological
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); if the documentation is not current, students may be required to submit updated information and/or documentation. Documentation that shows long standing history of diagnosis, may be considered.

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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 Accessibility Services, and should follow up with the Accessibility Services office to ensure that all paperwork has been received and all procedures have been followed. The Accessibility Services office is ultimately responsible for determining appropriate accommodations, if any, based on the documentation provided. The student will meet with an Accessibility Support Specialist for an interactive intake process to determine appropriate accommodations.

4. Procedures for Using Reasonable Accommodations
 - a. Academic Accommodation letters will be made available at the beginning of each semester. Students are responsible for picking up their letters from the Accessibility Services office and distributing accommodation notices to each professor.
 - i. Accommodation notices will be produced only for those students that have self-identified, provided supporting documentation and have been determined to have eligibility by the Accessibility Services office.
 - ii. 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 letter and discuss with him/her what approved academic accommodations 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 Accessibility 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. Relief from academic test scores or course grades received prior to the date of Application for Services from the Accessibility Services office cannot be applied. The use of academic accommodations

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- will be effective prospectively from the date of determination of eligibility, and not applied to prior history.
- b. Testing modifications: Extended-time and/or “reduced distraction environment” tests shall be proctored by the professor if feasible. Backup will be provided by the appropriate office (Accessibility 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 Accessibility Services where they will be kept under strict security. After completion, the faculty member may pick up the test at the Accessibility 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 accommodation provided to the student.
 - iv. Tests will be administered in accordance with written/email instructions from the professor.
 - c. Audio recording of classes:
 - i. Each student for whom recording lectures is an appropriate academic accommodation will be required to acknowledge an Audio Recording agreement in the form attached as 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 Accessibility 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.

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- 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.
 - iii. Students that choose to participate in internships, study abroad programs, or any other type of off-campus program offered directly from CCM, must present documentation and request accommodation, as stated in the above policy. Accommodations specific to global experience will be made on a case-by-case basis. All accommodations may not be feasible, depending on country of study, due to legal restrictions. If the program is not offered solely by CCM, it will be up to the participating provider to grant accommodations.
5. Procedure for Disposition of Records:
 - a. Students with disabilities who have requested accommodations but have not attended CCM for a period of 5 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 Accessibility Services, the department chair, and any faculty member or student involved within ten (10) business days of the incident or circumstance.
 - b. It shall be the responsibility of the Accessibility Services office to set up a meeting with all concerned parties within five (5) business 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 Director 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 Director will immediately forward the complaint to his/her Vice President who will respond in writing to all parties within ten (10) business days.
 - d. The Director of Accessibility Services will be the responsible party for all disputes arising from a faculty member initiating the process. The Dean of Student Development and Enrollment Management 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 or Director. The decision of the Vice President of Student Development and Enrollment on the appeal shall be final.

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ATTACHMENT I

COUNTY COLLEGE OF MORRIS
Accessibility Services Office

Audio-Recorded Lecture Policy

ID Number _____

You have been granted the accommodation of “Permission to Record Lectures” for assistance with note taking during class subject to the following policy:

AUDIO-RECORDED LECTURE POLICY

Students with disabilities who have difficulty taking or reading their own notes have the right to 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. Recorded lectures may not be used in any way against the faculty member, other lecturers, or students whose classroom comments are made 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. Students are responsible for providing their own recording device.

AGREED AND ACCEPTED

STUDENT’S

SIGNATURE: _____ **DATE:** _____

WITNESS: _____

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