

THE CALIFORNIA STATE UNIVERSITY

Policy for the Provision of Accommodations and Support Services to Students with Disabilities

Introduction

The California State University (CSU) Policy for Provision of Accommodations and Support Services to Students with Disabilities prohibits unlawful discrimination against students on the basis of disability in CSU programs, services, and activities, in accordance with, but not limited to, the Americans with Disabilities Act of 1990 (ADA); Section 504 of the Federal Rehabilitation Act of 1973, as amended; and applicable state laws including but not limited to the Donahoe Higher Education Act, Div. 5, Chapter 14.2, Sections 67302, 67310-13 and Section 12926 of the California state government code.

The CSU Policy for Provision of Accommodations and Support Services to Students with Disabilities (“CSU Policy”) is consistent with the Rehabilitation Act of 1973, as amended, and with the Americans with Disabilities Act of 1990, as amended. The CSU Policy shall be consistent with current applicable federal and state laws concerning the nondiscrimination of students on the basis of disability.

I. Definitions and Terms

- A. A **disability** shall mean a physical or mental impairment of an individual that limits one or more of the major life activities and requires either a record of such an impairment, or documentation of having been regarded as having such an impairment.
- B. An **individual with a disability** shall refer to:
 - 1. any person who has a physical or mental impairment that limits one or more of the major life activities of such individual,
 - 2. any person who has a record of such impairment, or
 - 3. any person who is regarded as having such impairment.
- C. A **qualified individual with a disability** shall mean an individual with a disability who:
 - 1. meets the academic and technical standards requisite for admission or participation in the education programs of the CSU campuses. This includes students with disabilities participating in clinical or field placements that are offered as part of a program’s field of study.

2. meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity regardless of:
 - a. reasonable modifications to rules, policies, or practices
 - b. the provision of auxiliary aids and services
 - c. the removal of architectural, communication, or transportation barriers.

II. CSU Disability Categories for Reporting Purposes

For reporting purposes, an individual shall be counted only in one category, that of the primary dysfunction. Although ADA guidelines and California state law do not require that campuses provide accommodations to students with temporary disabilities (disabilities of less than 3 months), campuses may decide on a case-by-case basis to provide accommodations and support to temporarily disabled students. These students do not constitute a separate category but shall be reported in one of the disability categories based on the nature of their disability. The CSU has established six broad disability categories to be used for reporting purposes:

- A. **Visual limitation:** Blindness or partial sight to the degree that it impedes the educational process and may necessitate accommodations, support services, or programs.
- B. **Communication disability:** Limitations in the speech and/or hearing processes that impede the educational process and may necessitate accommodations, support services, or programs.
- C. **Deaf and Hard of Hearing:** Limitation in the hearing process that impedes the educational process and necessitates accommodations, support services, or programs. Students in this category may require communication accommodation such as oral or sign language interpreters, note taking services, or real-time captioning services.
- D. **Mobility limitation:** Limitation in locomotion or motor functions that indicates a need for accommodations, support services, or programs. Included in this category are persons who have asthma, cardiovascular problems, or other physical limitations that restrict the ability to function without accommodation in the campus environment.
- E. **Learning disability:** A generic term that refers to the heterogeneous group of disorders manifested by difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning, or mathematical abilities due to neurological dysfunction. Even though a learning disability may exist concomitantly with other disabling conditions (e.g., sensory impairment) or

environmental influences (e.g., cultural/language differences or conditions defined in the current Diagnostic and Statistical Manual of Mental Disorders), the learning disability is not the direct result of those conditions or influences. The assessment and documentation standards for assessing learning disabilities and the need for support services conform to national standards and are provided in Appendix A.

- F. Other Functional Limitations:** Any other disability, such as a dysfunction of a body part or process or a neurological or psychological disability that necessitates accommodations, support services, or programs, and that does not fall within the categories listed above.

III. Verification of Disability

A. Authority to determine disability status:

The campus director or designee of the program for services to students with disabilities shall have the ultimate authority to determine disability status, and the decision shall be subject to the provisions below and to established appeal procedures.

B. Verification of evident disability:

The campus director or designee of the program for services to students with disabilities has the authority to verify a disability if the nature and extent of the disability is evident.

C. Documentation of disability:

1. In those cases where the director or designee of the program for services to students with disabilities is unable to verify the disability, the student shall provide appropriate documentation from a verifying professional qualified to assess the nature and extent of the disability. Verification may require documentation from:
 - a. a professional qualified to assess the nature and extent of the disability
 - b. a recognized and reliable source that provides appropriate standards in the applicable field.
2. Documentation may be provided by a licensed physician, psychologist, audiologist, or a speech pathologist.
3. Documentation may also be accepted from a licensed clinical social worker, rehabilitation counselor, marriage and family therapist, learning disability specialist, or other appropriate certified/licensed professional.

D. Transfer students with disability status:

A student who has transferred as a student with a disability and received services from a California Community College, the University of California, or any other regionally accredited postsecondary institution may be eligible for academic accommodations or support services at a California State University campus if appropriate documentation is received verifying the disability by the criteria used by the CSU. The campus director or designee of the program for services to students with disabilities shall have ultimate authority to determine disability status, subject to established appeal procedures.

E. Confidentiality:

Each CSU campus shall maintain appropriate confidential records that identify students with disabilities. These records shall include the student's name, address, social security number, nature of disability, support services needed, and verifying statement of the director or designee of services to student with disabilities, and documentation provided by the student. All such records, including student medical records, shall be considered "education records" protected by the Family Educational Rights and Privacy Act of 1974 (FERPA) and its regulations. Although certain medical records are exempt from FERPA's definition of "education records," that exemption does not apply to student medical records maintained by a campus program for services to students with disabilities. Accordingly, confidential records will be protected in accordance with FERPA regulations with the purpose of providing appropriate academic accommodations or adaptation of curricula. Information about the student may be released with the student's informed written consent in accordance with FERPA or other applicable legislation.

IV. CSU Policy on Non-Discrimination on the Basis of Disability

In accordance with the provisions of applicable law, this policy is intended to ensure that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in the services, programs, or activities of the CSU and its campuses. The CSU will provide appropriate accommodations and support services and make reasonable modifications in policies, practices, or procedures when necessary to avoid discrimination on the basis of disability, unless it is demonstrated that providing such accommodations, services, or modifications would result in a fundamental alteration in the nature of the service, program, or activity or would create undue financial or administrative burdens.

V. Program Coordination

The CSU president or designee(s) on each campus shall have the primary responsibility for ensuring that all campus programs, services, and activities are available to students with disabilities. The CSU Office of the Chancellor shall be responsible for ensuring systemwide accessibility of the CSU programs, services, and activities to students with disabilities.

VI. Academic Requirements and Reasonable Accommodations

A. Modification of academic requirements

Academic requirements should be modified as necessary and appropriate to ensure that they do not discriminate, or have the effect of discriminating, on the basis of a disability against qualified applicants or students with disabilities. As appropriate, modifications may include but are not limited to:

1. changes in the length of time permitted for the completion of a requirement,
2. substitution for specific courses required, and
3. adaptation of the manner in which a required course is conducted.

Academic requirements that are determined to be essential to a program of instruction by a process approved by the campus and its academic senate and those academic requirements directly related to certification and licensing requirements are not regarded as discriminatory.

B. Modification process

The process should include consultation with the Section 504/ADA coordinator or other individuals knowledgeable about Section 504 and the ADA, as well as consultation with appropriate faculty and administrators. Where appropriate, students should also be permitted to provide input into the process. Outcome documentation should include explanation of the academic requirement as well as a diligent assessment of alternatives for achieving the educational goal. The determination of what constitutes an essential academic requirement for purposes of Section 504/ADA shall be made in accordance with campus academic planning and approval procedures.

All CSU campus faculty and staff share the responsibility for maintaining a campus environment conducive to the fulfillment of the CSU's teaching and public service mission. In attempting to make appropriate academic adjustments, faculty members, the staff in services to students with disabilities, and students with disabilities should work together to develop reasonable accommodations that meet the individual educational needs of qualified students with disabilities while

not altering the fundamental nature of the service, program, or activity and without creating undue financial or administrative burdens. During this interactive process, a student with a disability should be given the opportunity to express a preference among possible accommodations and the stated preference should be considered in the process. However, the campus shall make the final decision among several viable options for reasonable accommodation.

VII. Communications Technology, Auxiliary Aids, and Services

A. Access

CSU campuses must take appropriate steps to ensure that educationally related communications, including electronic communications with students, applicants, and others with disabilities are as effective as communications with the campus community. This includes equal access to all formats of written and electronic communication concerning campus information, the curriculum, and academic resources. Reasonable access to communications technology, including computer technology, must be provided whether learning takes place on campus or at a distance from the campus.

B. Accommodation

CSU campuses must furnish appropriate accommodations and support services where necessary to afford a student with a disability an equal opportunity to participate in and enjoy the benefits of campus services, programs, and activities. In determining the appropriate type of auxiliary aid or services, campuses should consider the disabled student's request(s). However, campuses are not required to take any action that would result in a fundamental alteration in the nature of a service, program, or activity, or that would result in undue financial or administrative burdens.

Primary consideration must be given to providing effective electronic communication to students with disabilities in alternate formats of choice. However, pursuant to ADA, campuses are not required to use the newest or most advanced technologies as long as the auxiliary aid or service selected affords equal access.

VIII. Services: Auxiliary Aids and Services and Reasonable Accommodations

A. General guidelines

The type and amount of support services and accommodations provided to students with disabilities shall be determined by the campus director or designee of the program for students with disabilities, in consultation with the student seeking the accommodation and, as appropriate, with affected faculty and staff. Accommodations and support services offered through the campus services to

students with disabilities programs may not duplicate services or instruction available to all CSU students. Attendants, individually prescribed devices, readers for personal use, or other devices or services of a personal nature are not required under applicable law.

B. Available accommodations

Accommodations, support services, and programs that are available to those students qualified under ADA may include, but are not limited to:

1. Activities to coordinate and administer specialized services, including consultation with faculty for students with special academic needs associated with their disabilities.
2. Disability-related counseling and advising, including specialized academic, vocational, and peer counseling.
3. Liaisons with campus and community agencies, including referral and follow-up services to these agencies on behalf of students with disabilities.
4. Adaptive technologies (e.g. TTY, CCTV, assistive listening devices, adaptive computer hardware or software) including new devices that may become available with emerging technology.
5. Oral and sign language interpreters.
6. Note takers for writing, note taking, and manual manipulation for classroom and academic activities.
7. On-campus mobility assistance to and from college courses and related educational activities (provided by campuses whose topography and activities require such accommodation).
8. Readers.
9. Real-time captioners.
10. Registration assistance, including priority enrollment, assistance with applications for financial aid, and related college services.
11. Transcription services, including, but not limited to, the provision of taped, large print, and Braille materials.
12. Special parking, including on-campus parking registration, temporary parking permit arrangements, and application assistance for students who do not have state DMV Disabled Person Parking Placards or Plates. Students in the possession of a DMV Placard or Plates, and with great financial need, may apply for a waiver of parking fees.
13. Supplemental specialized orientation to acquaint students with the campus environment.

14. Test-taking facilitation including extended time, adapting (the mode or presentation but not changing the tests content, scope, or depth) tests for, and proctoring test taking by students with disabilities.
15. Campuses may elect to offer specialized tutoring or diagnostic assessment that is not otherwise provided by the campus.
16. Additional accommodations, support services, and programs may be provided as determined by the needs of students with disabilities.

C. Support service providers

The campus director or designee of the program for services to students with disabilities shall be responsible for the recruitment of an adequate pool of qualified persons to serve as interpreters, real-time captioners, readers, note takers, and similar support service personnel.

Students with disabilities needing assistance of such persons shall have an opportunity to be involved in the selection process to determine their appropriateness and to ensure that the person under consideration has an adequate skill level. California Education Code Section 67306 provides that students may select readers who are not on a director's list, if a written request is filed.

IX. Services to Students in Continuing/Extended Education Programs

Each CSU campus is responsible for ensuring that students with disabilities are provided reasonable accommodations regardless of the type of course in which the student is enrolled. It is the responsibility of the extended/continuing education office on each campus to fund support services for qualified students with disabilities enrolled in extended/continuing education courses. Such services may include interpreters, real-time captioners, readers, notetakers and test proctors. This policy is consistent with existing CSU policy that limits the use of state funds for providing educational support services to regularly enrolled students.

X. Provision of Services and Appeal Procedures

Students in need of auxiliary aids and services and reasonable modifications or accommodations should make their requests to the office of services to students with disabilities as early as possible in order to facilitate scheduling or the acquisition of personnel, equipment, and/or other materials. Directors of the program for students with disabilities shall establish campus guidelines to implement the provision of services.

XI. Appeals Procedures

Students denied a requested accommodation may appeal the decision through on-campus informal and formal dispute resolution processes. Each campus shall adopt and publish grievance procedures providing for appropriate due-process procedures and for prompt and equitable dispute resolution. Services authorized by the director of the program for students with disabilities must continue during the grievance process.

XII. Advisory Committees

A. Systemwide Advisory Committee

A systemwide advisory committee on services to students with disabilities shall be established by the Office of the Chancellor to review, evaluate, and recommend systemwide educational and administrative policies that address the needs of students with disabilities. The Systemwide Advisory Committee shall meet annually as necessary and maintain and make available summary notes of the meetings.

Membership and Terms of Office:

1. Chair to be appointed by the Chancellor/two-year term.
2. Two Vice Presidents for Student Affairs/two-year term.
3. One Provost/Vice President for Academic Affairs/two-year term.
4. Three Directors of Services to Students with Disabilities/two-year term.
5. Three students with disabilities/two-year, overlapping terms.
6. Three Academic Senate representatives.
7. One representative from the Office of the Chancellor's Capital Planning Design and Construction division (ex-officio).
8. One representative from Office of the Chancellor's Academic Affairs, Student Academic Support department who shall provide staff support (ex-officio).
9. Membership should include representation from a variety of campuses and disability categories.

B. Campus Advisory Committee

Each campus shall establish an advisory committee on services to students with disabilities to assist in the evaluation of current campus policies and procedures relating to students with disabilities, develop plans relating to programs and services for students with disabilities, recommend priorities, review barrier

removal priorities as specified in State University Administrator's Manual (SUAM), and develop timelines as defined in each campus' transition plan.

Membership and Terms of Office:

1. Members of campus advisory committees shall include students, staff, faculty, and administrators.
2. Members shall be appointed by the campus president or designee.
3. Membership should include representation from a variety of disabilities, academic disciplines, the business office, and other sectors of the campus community.

XIII. Reports

A. Enrollment Data and Use of Services

Each campus shall provide data annually on enrollment of matriculated students with verified disabilities. The data shall include the primary disability category and primary service provided.

B. Systemwide Program Evaluation

1. In consultation with students and staff, the CSU Office of the Chancellor shall develop and implement a system for evaluating state-funded programs and services for disabled students on each campus. The evaluations shall be conducted at least every five years. At a minimum, the evaluation shall report outcome data, staff and student perceptions of program effectiveness, implementation of the program, and physical accessibility requirements as specified in California State Building Code, Title 24 and the Americans with Disabilities Act Accessibility Guidelines (ADAAG).
2. To ensure reporting compliance with enrollment, retention, transition, and graduation trends of students with disabilities, the CSU Office of the Chancellor will work with the California Postsecondary Education Commission to publish these data annually.

C. Policy Review

Every five years (beginning in 2007) the Systemwide Advisory Committee on Services to Students with Disabilities shall review the Policy for the Provision of Accommodations and Student Services to Students with Disabilities. A report including recommendations shall be prepared for the Chancellor of the California State University.