

Handbook for Students with Disabilities

Disability Support Services



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WELCOME

Welcome to Southwest Texas Junior College and Disability Support Services (DSS). We look forward to working with you and providing the assistance that will help you.

This handbook will give you information about the services provided by this department. You will find information on how to get services, what kind of special services are available to students with disabilities, how to maintain services and other detailed assistance we provide.

If you have any questions, or need more information, please contact the DSS Counselor at the campus you plan to attend.

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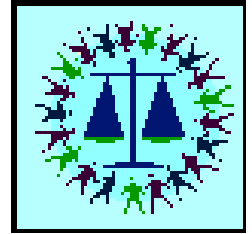
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Disabilities and the Law

Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 states that:

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



A "**qualified person**" is defined as one who meets the requisite academic and technical standards required for admission or participation in the postsecondary institution's programs and activities. Section 504 protects the civil rights of individuals who are qualified to participate and who have disabilities such as, but not limited to, the following:

- Blindness or visual impairments
- Physical or Mobility impairments
- Deafness or hearing impairments
- Psychological or Psychiatric impairments
- Attention Deficit/Hyperactive disorder
- Learning Disability
- Health impairments

The Americans with Disabilities Act of 1990 (ADA)

The Americans with Disabilities Act of 1990 (ADA) is the civil rights guarantee for persons with disabilities in the United States. It provides protection from discrimination for individuals on the basis of disability. The ADA extends civil rights protection for people with disabilities to employment in the private sector, transportation, public accommodations, services provided by state and local government, and telecommunication relay services.

The Individuals with Disabilities Education Act (IDEA)

You may be familiar with another federal law that applies to the education of students with disabilities—the Individual with Disabilities Education Act (IDEA). That law is administered by the Office of Special Education Programs in the Office of Special Education and Rehabilitative Services in the U.S. Department of Education. The IDEA and its Individualized Education Program (IEP) provisions do not apply to postsecondary schools. This handbook does not discuss the IDEA or state and local laws that may apply.

Rehabilitation Act / ADA Terminology

Individual with a Disability – any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such impairment, or (iii) is regarded as having such impairment.



Qualified Individual with a Disability – an individual with a disability who, with or without reasonable accommodation, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by Southwest Texas Junior College.

Essential Eligibility Requirements – the academic and technical standards requisite to admission or participation in an education program or activity.

Covered Disability – a physical or mental impairment that substantially limits one or more major life activities.

Reasonable Accommodation – a reasonable adjustment to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aides and services that does not result in a fundamental alteration of the program, service, or activity.

Reasonable Modification – the adjustment of an entity's policy, practice, or procedure that enables a qualified individual with a disability to enjoy the benefits and privileges of the program, service, or activity and that does not result in a fundamental alteration of the program, service, or activity.

Exclusions from the Definition of “Qualified Individual with a Disability”

Temporary Impairments – physical or mental impairments that substantially limit one or more major life activities may not be covered disabilities depending upon the duration of the impairment and the extent to which they actually limit a major life activity of the affected individuals. An individual with a minor temporary impairment of short duration is generally not a qualified individual with a disability.

Substance Abuse –a person engaging in the current and illegal use of controlled substances is not a qualified person with a disability.

Excluded Conditions – homosexuality, bisexuality, transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders, compulsive gambling, kleptomania, pyromania, and psychoactive substance abuse disorders resulting from current illegal use of drugs are specifically excluded from the definition of disability. An individual with any of the above conditions is not a qualified individual with a disability.

Direct Threat – a significant risk to the health or safety of the individual or others that cannot be eliminated by a modification of policies, practices, or procedures, by the provision of auxiliary aids or services, or by other reasonable accommodation. The determination of whether an individual poses a direct threat to the health or safety of others will be based on an individualized assessment. An individual who poses a direct threat to the health or safety of the individual or others is not a qualified individual with a disability.

To be eligible for disability related services, students must have a documented disability condition as defined by the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973. Under both laws, a person has a disability if he or she has a physical or mental impairment that [substantially limits](#) one of more of major life activities (examples include walking, standing, speaking, and hearing, breathing, writing or reading).

Students with Disabilities Preparing for Postsecondary Education: Know Your Rights and Responsibilities

It is important that students understand their rights and responsibilities as a student with a disability. The following document is produced by the U.S. Department of Education and gives students with disabilities information about their protected rights in a postsecondary school setting.



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More and more high school students with disabilities are planning to continue their education in postsecondary schools, including vocational and career schools, two- and four- year colleges, and universities. As a student with a disability, you need to be well informed about your rights and responsibilities as well as the responsibilities postsecondary schools have toward you. Being well informed will help ensure you have a full opportunity to enjoy the benefits of the postsecondary education experience without confusion or delay.

The information in this pamphlet, provided by the Office for Civil Rights (OCR) in the U. S. Department of Education, explains the rights and responsibilities of students with disabilities who are preparing to attend postsecondary schools. This pamphlet also explains the obligations of a postsecondary school to provide academic adjustments, including auxiliary aids and services, to ensure the school does not discriminate on the basis of disability.

OCR enforces Section 504 of the *Rehabilitation Act of 1973* (Section 504) and Title II of the *Americans with Disabilities Act of 1990* (Title II), which prohibit discrimination on the basis of disability. Practically every school district and postsecondary school in the United States is subject to one or both of these laws, which have similar requirements.

Although Section 504 and Title II apply to both school districts and postsecondary schools, the responsibilities of postsecondary schools differ significantly from those of school districts.

Moreover, you will have responsibilities as a postsecondary student that you do not have as a high school student. OCR strongly encourages you to know your responsibilities and those of postsecondary schools under Section 504 and Title II. Doing so will improve your opportunity to succeed as you enter postsecondary education.¹

¹ U.S. Department of Education, Office for Civil Rights, *Students With Disabilities Preparing for Postsecondary Education: Know Your Rights and Responsibilities*, Washington, D.C., 2011.

Mission Statement

Disability Support Services (DSS), in collaboration with SWTJC faculty, staff, and affiliates, aim to promote opportunities for all students to achieve their academic, cultural, and social interests by ensuring that campus programs, activities, and facilities are accessible.

Applying for Admission & Registering with DSS



If you are coming to SWTJC for the **first time** you will need to submit an application on “Apply Texas” as well as make arrangements to take a **placement test** before you can finish enrolling. Placement tests are administered to all incoming students to find out their current level of reading, mathematics, and English skills. **The results of these tests will determine which English, mathematics, and/or reading classes you qualify to enroll in.**

Students in most majors must take the Texas Success Initiative test (TSI) to meet entrance requirements. The TSI is given at various times throughout the week in the Testing Center (located in the Miller Building). To find the times of the test, you can call the Testing Center at (830) 591-7346.

*****Special Accommodations for the Placement Test:**

Individuals with certain type of disability may request special accommodations to take the TSI supported by documentation based on their disability. To set up accommodations, you must submit a **copy** of your **latest Comprehensive Individual Assessment or Full and Individual Evaluation**, and a **copy** of your last **ARD** meeting to the DSS counselor at the campus you plan to attend. Submission for requests and all necessary documentation for special accommodations **must** be made **2 weeks in advance** prior to testing. Because of staff and time constraints, there can be no assurance that requests received after this deadline can be accommodated.

All timely and complete alternative testing arrangement requests and accompanying documentation are reviewed on a case-by-case basis upon receipt. In some cases, the submitted documentation may not be sufficient to make a determination regarding the requested accommodation(s) or may not support the requested accommodation(s). Additional information or test results may be needed.

Registering with Disability Support Services:

After you have been accepted to SWTJC, and you are requesting special accommodations in the classroom due to a disability, you may proceed to Disability Support Services.

Advanced planning by the student with the DSS counselor is necessary to ensure adequate time to arrange for appropriate accommodations. Waiting until the semester begins may cause undue hardship on the student during the period it takes to implement particular accommodations. Initial requests for accommodations require a minimum of 30 days to process a student's file and forms. Requests for services (such as an interpreter) requiring extensive preparation needs at least 60 days to process.

Students with permanent disabilities who qualify for support under Section 504 of the Rehabilitation Act and Americans with Disabilities Act **must self-identify and register with the DSS counselor at the campus they plan to attend.**

To be eligible for disability related services, **students must have a documented disability condition as defined by the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973.**

Students seeking academic accommodations in the classrooms need to provide appropriate documentation verifying their disability from a professional who is certified. **Documents used in high school like an Individual Education Plan (IEP), 504 Plan, or A.R.D. reports will not substitute for an evaluation/report.**

Note: In higher education, there are NO ARDs, or IEPs. Students are responsible for making all disclosures and decisions about their program-not their parents or guardians. It is entirely up to the student to disclose that they have a disability (ADA, 1990). If a student **chooses not to speak** about their disability, NO ONE will ask and NO ONE can allow accommodations.

If a student **chooses to speak** about their disability, they must be prepared to describe their disability, their strengths, areas of difficulty, and how it affects them in school and in work. Students must also be prepared to describe strategies that will help them to accomplish the class work.

Requesting Special Accommodations in the Classroom:

Step 1: After being accepted to SWTJC, the student will proceed to the DSS counselor at the campus they plan to attend. The DSS counselor will discuss with the student his/her responsibilities, the policies, the procedures of the DSS, the required documents when requesting special accommodations in the classroom, and developing their class schedule.

Step 2: Student must obtain all documents (as discussed in step 1) including a **copy** of their **Comprehensive Individual Assessment** or **Full and Individual Evaluation** and a **copy** of their last **ARD** meeting from their high school AND all the required documents from a licensed professional establishing that you are a student with a disability. **(Note: While this documentation is highly beneficial in the accommodations process, lack of documentation does not necessarily constitute denial of services. Please meet with your designated DSS representative for further information.)*

Step 3: Arrange an appointment and bring all documentation requested by the DSS counselor on your appointment.

Step 4: The DSS counselor reviews all the documentation to determine the appropriate accommodations for the student. The Classroom Accommodation Request Forms (ARF) will be addressed to each faculty member indicating their approved classroom accommodations.

Step 5: Student must pick up his/her ARF(s) at the scheduled appointment.

Student's Responsibilities:

After the student has picked up his/her ARF(s) from DSS . . .

Step 6: It is the student's responsibility to deliver the accommodation request forms in a timely manner to the instructor for each of the student's classes where accommodations are required. Failure to provide the forms may result in a delay in implementation of accommodations.

Step 7: Student's are responsible for discussing their accommodations with each instructor. The Request Forms must then be signed and dated by each of the instructors and returned by the student to the DSS counselor for filing.

Students are responsible for delivering the Request Forms to their instructors as early as possible in the semester, preferably on the first week of classes or prior to the first class day. It may take a few days for the instructor to begin to comply with your request. Students cannot expect to deliver an Accommodation Request Form on the same day of an exam and expect to have the conditions apply. In all fairness, your instructor needs time to make arrangements for the requested accommodations.

Maintaining Services:

To continue receiving services and accommodations from Disability Support Services, students with disabilities are expected to follow the following procedures each semester to continue receiving services and accommodations.

1. Students should plan to meet with the DSS Counselor to plan their schedule and review necessary paperwork **before** the beginning of each semester.
2. Student will be given an appointment to meet with the DSS counselor to plan their schedules and receive Accommodation Request Forms to deliver to the instructors.
3. The DSS Counselor will schedule appointments for follow-up and service review on a monthly basis during long semesters and after mid-term in short semesters. Additionally, the student should feel free to contact their assigned DSS counselor as needed.
4. If services provided are unsatisfactory, the student may request a change. A change cannot be guaranteed, but attempts will be made to satisfy reasonable requests from the student.

Students must meet with the DSS counselor each semester services are needed.

Policies and Procedures

Confidentiality

Files of students with disabilities are considered educational student records and, therefore, are protected by the Family Educational Rights and Privacy Act (FERPA). In accordance with this law, DSS maintains confidentiality of the documentation materials and other information gathered in the process of determining eligibility for services. DSS will not release any documentation without a release form signed by the student, except as required by law or as deemed necessary to prevent harm to the student and/or others. Should a student wish to release any information to their parent/guardian, they must first notify the DSS Counselor immediately to submit the proper documentation.

On a legitimate, educational need-to-know basis, DSS may discuss the impact or impairments caused by the disability and the corresponding approved accommodations with appropriate individuals on campus. Circumstances may include academic accommodations, housing arrangements, instructional strategies, and resources or other circumstances specific to the individual. Every student will be given a release form to authorize specific individuals' access to limited, confidential information.

Maintenance of Records

If a prospective student sends documentation to DSS and does not complete the process to determine eligibility for services or the required documentations are missing, the file will be considered Pending. Pending files will be filed for at least one year from the last contact. After the one year period, the pending files will be destroyed.

Students are not eligible to begin using accommodations until their files are Active. A file is considered Active when the student has submitted and completed **all** the required documentations.

Notice of Destruction of Outdated Disability-Related Records Policy

Southwest Texas Junior College (SWTJC) and Disability Support Services (DSS) Office has adopted a policy that permits destruction of outdated disability-related records, including medical documentation provided by students to the college pursuant to a student's request for accommodations of a disability. When DSS determines that it has been three or more years since a student either attended SWTJC or received accommodations as a student with a disability from SWTJC, the college may destroy any disability-related documentation that it has in its possession without providing further notice to students whose records are subject to destruction. SWTJC and DSS will not be

responsible for the replacement cost of any medical or disability-related documentation destroyed pursuant to this policy, or for any new documentation that may be required in order for a student to re-apply for accommodations. For this reason, students are encouraged to retain copies of their own medical records and disability-related records, and not to depend on the college maintaining such records.

SWTJC and DSS emphasizes that the only documents that are subject to destruction under this policy are disability-related records maintained by the DSS counselors at the campuses. Other records associated with a student's academic, student discipline, and financial history at SWTJC are not affected by this policy.

Notice of this policy will be provided to students during their first initial meeting with a DSS counselor, by providing the required documentation, and by posting in SWTJC publications. Students who have any questions about this policy or their disability-related records should contact a DSS counselor.

Student Grievance Procedures

If a student feels that he/she has been discriminated against based on disability, it is recommended that the student first attempt to resolve the issue with the individual or group suspected of discrimination. If this procedure is non-productive, a second attempt is to seek assistance from the DSS counselor. If unsatisfied with the resolution, it is the student's right to file a formal grievance. The student should refer to the SWTJC current catalog or SWTJC Student Handbook for specific information according to the student grievance procedures.

The student holds the right to issue a formal complaint or an informal complaint. The procedures for these options are outlined below.

Informal Grievance

Informal grievance may be an appropriate choice when the conduct involved is not of a serious or repetitive nature and disciplinary action is not required to remedy the situation. It is most appropriate when attitudinal or behavioral conduct is involved. Informal resolution is an opportunity to have an educational moment. No formal investigation is involved in the informal grievance process.

Steps involved in informal grievance:

- A request for an informal grievance must be made within 90 calendar days of the date of the alleged incident.
- Students may make the request to the Disabilities Support Services office or to the Vice President of Student Services. Students may discuss the issue with his/her assigned DSS coordinator to begin an informal resolution process.

- The DSS coordinator will help determine whether the issue can be resolved informally and which office is most appropriate to be involved. If the student's concern is about his/her DSS coordinator, the director of Student Engagement and Success is the most appropriate first contact.
- A request for informal resolution will not extend the 90-day time limit for filing a formal complaint.
- An informal resolution meeting is not to be considered a precondition for the filing of a written complaint.

Formal Grievance

A complaint alleging discrimination or harassment must be submitted in writing to the Disability Support Services. A written complaint must be filed within ninety (90) calendar days of the occurrence of the alleged violation. In the case of a currently enrolled student, if the last day for filing a complaint falls prior to the end of the academic semester in which the alleged violation occurred, then the complaint may be filed within thirty (30) calendar days after the end of that semester.

Complaints against students should be filed with Vice President of Student Services. Complaints against faculty should be filed with the Vice President of Academic Affairs who will investigate such complaints.

The complaint should include the following information:

1. Name and Student Identification Number of the person submitting the complaint (complainant)
2. Contact information, including address, telephone, e-mail
3. Name of person(s) directly responsible for alleged violation(s)
4. Date(s) and place(s) of alleged violation(s)
5. Nature of alleged violation(s) as defined in the policy
6. Detailed description of the specific conduct that is the basis of the alleged violation(s)
7. Copies of documents pertaining to the alleged violation(s)
8. Names of any witnesses to alleged violation(s)
9. Action requested to resolve the situation
10. Complainant's signature and date of filing
11. Any other relevant information

The Vice President of Student Services may not proceed with a complaint investigation under a variety of circumstances, for instance:

- a person fails to meet the elements and requirements for filing a complaint;
- the conduct described in the complaint is not covered by a policy enforced by OIE;
- a person alleges facts that, if true, would not constitute a violation of federal or state law, or a policy enforced by OIE;
- a complaint is not timely;
- the Complainant declines to cooperate in the University's investigation;

- the complaint has been withdrawn; or
- an appropriate resolution or remedy has already been achieved, or has been offered and rejected.

Further questions regarding grievance procedures should be directed to the DSS counselor at each respective campus.

Documenting Your Disability

The purpose of providing documentation is to support your need for accommodation/auxiliary aids in order to maintain equal access to the College's programs, facilities, and activities, and to provide the College with information about functional limitations that are created by the disability and can be addressed by accommodation/auxiliary aids.

Presented documentation must meet guidelines that have become standard among colleges and universities throughout the country and are recommended by the Association on Higher Education and Disability (AHEAD). These guidelines have been considered reasonable and appropriate by the U.S. Department of Education, Office of Civil Rights as well as the U.S. Department of Justice.

Documentation of your disability may consist of one or more of the following dependent on the disability type:

- Audiogram
- Comprehensive Diagnostic/Clinical Report
- Comprehensive Neuropsychological Examination
- Psychological Educational Evaluation
- Physical/Mobility Evaluation
- Eye Examination Report

All timely and complete reasonable accommodation requests and accompanying documentation are reviewed on a case-by-case basis upon receipt. In some cases, the submitted documentation may not be sufficient to make a determination regarding the requested accommodation(s) or may not support the requested accommodation(s). Additional information or test results may be needed.

*****NOTE: Neither your high school nor your postsecondary school is required to conduct or pay for a new evaluation to document your disability and need for an academic adjustment. This may mean that you have to pay or find funding to pay an appropriate professional to do it. If you are eligible for services through your state vocational rehabilitation agency, you may qualify for an evaluation at no cost to you.**

Understanding Your Classroom Accommodations

As an adult, YOU are the ONLY ONE who can request accommodations for yourself.

You will *first* be expected to maintain the standards that apply to everyone else in the course. In the words of the law, Americans with Disability Act (ADA), you must be “otherwise qualified” to do the work **with or without accommodations** (emphasis added).

Accommodations should apply to course procedures and processes, not to course content. Most necessary modifications are simple techniques that promote participation by all students. With minor exception of minor adjustments in presenting the requirements of the course, **the essential content will not be altered**. The class will probably not be any “easier” for you than it would be for any other students.

Before you can receive them, though, you must decide to “disclose” the fact you have a disability to your instructor(s). Choosing to tell instructors that you have a disability is a very personal decision. No one can tell you when it is right for you to do so. Being penalized for having a disability is unacceptable; it is also unacceptable to expect more than **reasonable accommodations** for the disability.

Accommodations

Accommodations are interventions that students may utilize to support their academic performance. Interventions may include reasonable accommodations and / or auxiliary aids. Accommodations should apply to course procedures and processes, not to course content. With minor exception of minor adjustments in presenting the requirements of the course, the essential content will not be altered. The class will probably not be any "easier" for you than it would be for any other college students.

Accommodations are identified for each student on an individual basis for each semester. A particular disability type does not determine them. While several students with either the same or different disabling conditions may utilize a particular accommodation, there is no established "matching" of disability and accommodation. **One size does not fit all!**

You will *first* be expected to maintain the standards that apply to everyone else in the course. In the words of the law, Americans with Disability Act (ADA), you must be "otherwise qualified" to do the work **with or without accommodations** (emphasis added).

Although the entire college community is engaged in providing and improving access for students with disabilities, the DSS counselor is the designated person that receives and maintains disability-related documents, certifies students' eligibility for services, determines reasonable accommodations/auxiliary aids and develops plans for providing them. All accommodations/services being requested must be supported by appropriate documentation.

***Note: The DSS Counselor will make the final decision regarding appropriate accommodations based on all relevant information.**

Auxiliary Aids and Services

A postsecondary student with a disability who is in need of auxiliary aids is obligated to provide notice of the nature of the disabling condition to the college and to assist it in identifying appropriate and effective auxiliary aids. In elementary and secondary school, teachers and school specialists may have arranged support services for students with disabilities. However, in postsecondary schools, the students themselves must identify the need for an auxiliary aid and give adequate notice of the need. The student's notification should be provided to the DSS Counselor. Unlike elementary or secondary schools, colleges may ask the student, in response to a request for auxiliary aids, to provide supporting diagnostic test results and professional prescriptions for auxiliary aids. A college also may obtain its own professional determination of whether specific requested auxiliary aids are necessary.

Colleges are not required to provide the most sophisticated auxiliary aids available; however, the aids provided must effectively meet the needs of a student with a disability. An institution has flexibility in choosing the specific aid

or service it provides to the student, as long as the aid or service selected is effective. These aids should be selected after consultation with the student who will use them.

Personal Aids and Services

An issue that is often misunderstood by students and their parents is the provision of personal aids and services. Personal aids and services, including help in bathing, dressing, or other personal care, are not required to be provided by postsecondary institutions.

The Section 504 regulation states:

Recipients need not provide attendants, individually prescribed devices, reader for personal use or study, or other devices or services of a personal nature.

Title II of the ADA similarly stated that personal services are not required.

Students with disabilities who graduate from a high school program or its equivalent, education institutions are no longer required to provide aids, service, or devices of a personal nature.

Postsecondary schools do not have to provide personal services relating to certain individual academic activities. Personal attendants and individually prescribed devices are the responsibility of the student who has a disability and not of the institution. For example, interpreters may be provided for classroom use but institutions are not required to provide interpreters for personal use or for help during individual study time.

Specific Information about Specialized Accommodations



REGISTRATION SERVICES

Registration dates are listed in the *Southwest Texas Junior College Catalog* and the *Southwest Texas Junior College Course Schedule* and the *SWTJC Website* for the desired semester. The first week of the designated advisor, telephone, and online registration period is considered Early Registration, which is when students with disabilities should go to the DSS counselor at the campus they will be attending to register. Your DSS counselor will assist you with registration and preparation of Accommodation Request Forms. Students are encouraged to see a counselor prior to registration to plan their courses for the upcoming semester.

ASSIGNMENT TO CLASSROOMS

Students with mobility impairments are strongly encouraged to review their schedules at least four weeks before classes begin and contact the DSS counselor regarding any problems with specific classroom accessibility. SWTJC cannot guarantee that classrooms will be accessible on the first day of class for those students who do not notify the appropriate DSS counselor of accessibility issues at least four weeks prior.

INTERPRETING SERVICES

Interpreting services are provided for deaf or hard of hearing students. Since few interpreters are available in the area, students should request Interpreter services for classes and labs no less than a minimum of 60 days prior to each academic semester they plan to attend SWTJC. DSS cannot guarantee that services will be in place if insufficient notice is provided.

CART SERVICES

Students who do not use sign language and cannot access information presented orally may need CART (computer aided real-time translation). This involves a court reporter transcribing a lecture into written language that is then displayed on a laptop computer screen for the student. The court reporter will be at a remote location. Students should request CART services no less than the minimum of 60 days prior to each academic semester they plan to attend SWTJC. DSS cannot guarantee that services will be in place if insufficient notice is provided.

NOTE TAKING SERVICES

Note-taking services are available for students with learning disabled, physical/mobility impaired, or hearing impaired individuals whose disability precludes them from taking notes in class, with an approved documentation. On the **FIRST** day of class, let the instructor know that you need note-taking services and need his/her assistance in attempting to find a student in the class who would be willing to share their notes in that class. The student will be

provided with NCR paper. **It is your responsibility to pick up the NCR paper from the DSS office.**

- Before selecting a note taker, it is a good idea to look around the class and see who seems to be most attentive. Generally, good note takers sit near the front of the room and take notes consistently throughout the class period. The instructor may be able to offer advice about whom to choose.
- When a note taker is provided, the student with a disability is encouraged to attempt to take notes if at all possible. This assists the student to stay focused on the class.
- If the note taker plans to be absent one day, it is a good idea to ask another student to take notes for that day.

READER SERVICES

Readers are provided for students who have visual impairments, learning disabilities or other disabilities that significantly impact the student's ability to read standard print. Readers are used primarily for tests and exams. Students cannot choose their own reader. Only those persons approved by the DSS office can be utilized as readers. The college does not provide readers for home use. Students need to seek outside assistance to acquire readers for their home use. Students, who need to cancel a reader session, should contact the DSS office at least 24 hours in advance of the scheduled session.

SCRIBE SERVICES

Scribes are provided for students who are unable to write due to a physical or visual impairment, or a learning disability that significantly impacts their ability to write or perform fine motor skills. Scribes are used primarily for tests and exams. Students dictate answers to test questions to the scribe who writes the student's responses. Scribes are not able to offer explanations to test questions or professor's instructions or directions. Scribes are not available for home use. Students need to seek outside assistance to acquire scribes for their home use.

SPECIALIZED TESTING SERVICES

If special arrangements (such as extended time, oral tests, and testing outside of the regular classroom) are an approved accommodation, the instructor will take care of those arrangements in their own department.

- If an individual is allowed extended time the maximum amount of extra time that can be allowed is determined on a case-by-case basis. In general, the amount allowed is time and a half (e.g. a 50 minute class would qualify for a 75 minute test; an 80 minute class would qualify for a 120 minute test).

*If an instructor does not have the time or space available to provide exam accommodations, a request to have an exam administered in the Student Success Center may be submitted. The student must submit the request in writing at least two weeks prior to the exam date to ensure a reservation.

TAPE RECORDING

If tape recording class lectures is an approved accommodation, the student will be asked to sign a Tape Recording Agreement. In all cases, recordings are to be used for personal study only and destroyed at the end of the semester. **Tape recorders are available in the DSS office on a limited basis.**

DESKS FOR WHEELCHAIRS

Desks without attached chairs are available for those classrooms that are not equipped with desks that can accommodate a wheelchair. Students are expected to have their own wheelchairs. The college cannot provide any personal equipment.

SHORT FREQUENT BREAKS

Student should be allowed to leave the classroom necessary with minimal distraction to the class, with approved documentation. Breaks should not go beyond 3 to 4 minutes without reason.

TUTORIAL SERVICES

Tutorial services are provided **FREE** to all SWTJC students. Subject specific tutors are available during scheduled times at the Student Support Services, Writing Center, and Student Success Center. Students are encouraged to utilize any of these services at their respective campus.

Individuals are responsible for paying for private tutorial services for personal use.

SPECIAL ASSISTANCE BY LIBRARY STAFF

The staff at SWTJC campus libraries is available to assist individuals with disabilities provided they are given two days notice for special assistance is highly recommended. Individuals can learn about library services and receive assistance by contacting personnel at the main desk.

RECORDED TEXTBOOKS

Students with visual impairments, physical/mobility disability or reading related learning disabilities are encouraged to register with Recording for the Blind & Dyslexic. RFB&D requires individuals to become lifetime members. At the student's request, the DSS counselor will provide and assist the student with a RFB&D's Individual Membership Form. (See *Disability Resources*, page 28) In all cases, it is very important the student begins the process a month before the beginning of each semester because pre-recorded books on tapes should arrive in two to three weeks. For books needing to be recorded, the wait will be longer.

THE LIBRARY OF CONGRESS

The Library of Congress, National Library Service for the Blind and Physically Handicapped (Regional and Sub-regional Libraries) has a large collection of recorded, large print, and Braille books, magazines and music. Students are highly encouraged to utilize this resource. (See *Disability Resources*, page 28)

BRILLED MATERIAL

Students with visual impairment are encouraged to contact the Education Service Center, Region 20 to meet their certified Braille transcription needs. (See *Disability Resources*, page 28)

DISABLED PARKING

Disabled Parking spaces at SWTJC are designated by appropriate signage and painted identification. Individuals who park on campus must obtain a parking decal from the Business Office. State permits (hang-tag or plate) are required to park in disabled parking spaces. Any vehicle not displaying the proper disability plate or placard and SWTJC parking permit will result in ticketing.

CAMPUS HOUSING (Uvalde Campus Only)

Our residence halls are modified to accommodate students with disabilities. If you have special needs for certain accommodations, please notify the DSS counselor. Requests for housing accommodations **require** a minimum of 30 days **with** proper documentation.

Interpreter Services



Interpreter Services is the service that Deaf and Hard of Hearing students used the most. Interpreters will be available to interpret for you in the classroom during your teachers' lecture, tutoring sessions, appointments with teachers, counselors, advisors, and other staff members of the college, and for special events that take place at the college.

Since few interpreters are available in the area, **DSS requires a minimum of sixty-day notice** to obtain the services of an interpreter for each academic semester. DSS cannot guarantee that services will be in place if insufficient notice is provided.

You are entitled to receive lecture notes from your instructor in each of your classes for each lecture. The Accommodation Request Form will explain to your instructor that you are entitled to an interpreter in your class, **extended test-taking time**, and other accommodations, with approved documentation.

At SWTJC, we never **assume** that you need an interpreter; **if you do not request an interpreter, no interpreter will show up for your classes.**

If you need an interpreter for something outside of class, such as going to see your counselor or instructor, or going to go talk to someone at the Financial Aid office, please **request an interpreter at least 2 days before you will need one.** If you wait until the last minute to request an interpreter, there will not be an interpreter available for you.

Throughout the year, there are special events held on campus such as seminars, guest speakers, etc. We do not automatically schedule an interpreter for these events unless it is requested of the student. We will provide an interpreter for the event if the student informs the DSS counselor one week well in advance, and if there is an interpreter available at the time.

Please note that SWTJC only provides interpreters for assignments relating to college business. If you need an interpreter for an assignment outside of college business, SWTJC is not responsible for providing an interpreter.

SWTJC is not responsible for providing an interpreter for personal use.

Your interpreter's responsibility

Your interpreter is responsible for interpreting communication between you and any hearing person you need to talk with at SWTJC. This includes interpreting your class lectures, interpreting your class meetings with instructors, counselors, tutors, advisors, or other staff members at the college, or special events held on campus. Interpreters are not counselors, tutors, or instructors. Please note that your interpreter's only responsibility is to ***interpret*** for you.

Your interpreter is responsible for interpreting only.

Keeping your Interpreter Services

Student Absences or "No Show" Policy

The interpreter will wait for 15 minutes for any class under 50 minutes and 30 minutes for any class longer than 60 minutes. If you are absent from a class 3 times (2 times for evening classes), without contacting your interpreter or DSS counselor, your interpreting services will be cancelled for ALL classes for the rest of the semester. You are responsible for your attendance in class and you will need to meet with your DSS counselor in order to get your interpreting services reinstated.

You must let your interpreter know about your class schedule; if you don't, your interpreter will not wait for you.

Note: This policy is also true for tests, quizzes, and finals! Final tests at the end of the semester sometimes take place in a different place or at a different time than the regular class time. Discuss this with your

interpreter and make sure you have made interpreting arrangements for finals!

Also, don't just assume that your interpreter knows about a change in the class time or place just because he or she was interpreting in your class while the teacher was talking about it. It's your responsibility for these changes.

Please contact your DSS counselor if your interpreter does not show up in class when he or she is supposed to be there. Sometimes interpreters are sick or have family emergencies; we will try our best to get a substitute interpreter for your class.

Service Animal Policy

Students desiring to use a service animal on campus should first contact DSS to register as a student with a disability. The DSS counselor will evaluate the documentation of disability and discuss with the individual any appropriate accommodations, including the assistance of a service animal. **All Service Animals must be registered with DSS.**



The Definition:

Service animals are animals trained to assist people with disabilities in the activities of daily living.

The Americans with Disabilities Act (ADA) defines a service animal as . . .

"any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items."

If an animal meets this definition, it is considered a service animal regardless of whether it has been licensed or certified by a state or local government or an animal training program.

This definition means that 1) an individual must have a disability as defined by the ADA, and 2) the accompanying animal must be trained to do specific tasks for the qualified individual.

Procedures for Requesting to use a Service Animal on Campus:

- A student must identify the animal as a Service Animal to Disability Support Services
- Complete the *Service Animal Registration Form*
- Provide health statement from a licensed veterinarian dated within the past year verifying animal's veterinary health and current vaccinations

- Provide dog license tag, rabies tag, owner ID, and/or photo dog ID
- The animal may be certified and if so a copy of this certificate may be requested

Campus Resources

STUDENT SUPPORT SERVICES

Free services are offered to qualified individuals. In order to qualify a student must:



- Be a first-generation college student (neither parent has completed a four-year college degree);
- Meet income guidelines; **or**
- **Have a documented disability.**

Applications are available at Student Support Services located in the Sterling Fly Building on the Uvalde campus or at the Student Success Centers on the Del Rio and Eagle Pass campuses.

Services offered by Student Support Services include:

- Tutoring (one-on-one and/or group),
- Assessment preparation,
- Transfer assistance to students who plan to continue their education beyond a certificate or associate degree program,
- College visits to four year institutions to discover available opportunities,
- Workshops and seminars in the areas of time management, study skills, test anxiety, and other areas of interests,
- Learning styles and self-exploration assistance,
- Career interest, explorations, and preparation sessions,
- Advising in academics, financial aid, and personal concerns,
- Cultural and educational enrichment activities, and
- Referral services to other campus and community resources.

CARL D. PERKINS ASSISTANCE

The Carl Perkins Grant is a federal grant that was created to assist **Technical-Vocational students**. Applications are available at the Business Office located in the Flores Building on the Uvalde campus.

Free services are offered to qualified individuals. In order to qualify a student must be:

- | | |
|-------------------------------|-------------------------------|
| • Unemployed or Underemployed | • Single Parents |
| • Eager for a promotion | • Displaced Workers |
| • Recent high school grads | • Receiving public assistance |
| | • Out-of-school youth |

- Considering a career in a technical field
- Types of assistance offered:
- Childcare expenses
 - Transportation
 - Textbooks
 - Tutoring Services
 - Work Study Jobs

Medical Emergency Response Procedure for Students with Disabilities

- It is the student's responsibility to notify the DSS counselor and his/her individual instructors of a medical condition that might result in an emergency situation. Medical conditions that a student should give notice of include, but are not limited to, seizure disorders, heart disease, abnormal heart rhythms, diabetes, hypoglycemia, cardiomyopathy, asthma, other breathing disorders, fainting spells, blackouts, chronic fatigue syndrome, severe arthritis, and head injury.
- If a medical emergency should occur while a student is on campus, 9-1-1 will be called and an ambulance requested. The student will be transported to an emergency room at a near by hospital.
- **The DSS Counselors are not medical personnel. Therefore, 9-1-1 should be called immediately for the student to receive appropriate medical attention.** Campus nurse should be called to offer support for the student, which includes notifying designated individuals of the emergency and providing health information if the student is unable to do so.



Student Code of Conduct



All students, regardless of disability, are responsible for adhering to the Student Code of Conduct published annually in the Southwest Texas Junior College Student Handbook. The Code can be summarized by:

The student shall not verbally threaten or abuse college personnel or other students, physically threaten or assault others, willfully damage college property, misuse drugs or alcohol on college property, or interfere with the learning environment by disruptive verbal expressions or actions.

Students who participated in special education programs while in elementary, middle, or high school were able to receive modifications in the school's behavior code. This option is not available at the college level. When registering for classes at SWTJC, the student must consider whether he/she will be able to adhere to the Code of Conduct. **The Americans with Disabilities Act (ADA) does not excuse or protect an individual from penalty for emotional or violent outbursts blamed on an impairment.** (Hamilton v. Southwestern Bell Telephone, 136 F.13d 1047, 1052 (5th Cir. 1998)).

REALISTIC EXPECTATIONS OF COLLEGE

The type of instruction and support that you may have received in high school is different from the type of instruction and support that you will receive in college. The following is a list of major differences between high school and college that will help you be more aware of what is ahead.

| | High School | College |
|--------------------------------|--|--|
| 1. Contact with Teacher | Teacher-Student contact is closer and more frequent (5 days/week). | Instructor-student contact is less frequent (1 to 3 times/week). |
| 2. New Status | Student establishes a personal status in academic and social activity based on family-community factors. | Student is in a new situation where there is little carry-over of either family or community reputation. |
| 3. Counseling | Counseling by teachers or guidance counselors is personalized. Guidance personnel are more easily available. Parental contact is constant. | Counseling <u>must be sought</u> by students. Parental contact is much more difficult and limited if student is living away from home. |
| 4. Dependence | Student is told what to do in most situations. Follow-up on instructions is often the rule. | Student is on his/her own. Self-discipline is required. |
| 5. Motivation | Student gets support and encouragement to achieve or participate from parents, teachers, or counselors. | Student must supply his/her own motivation. |
| 6. Freedom | Student is supervised by parents, teachers, and school administrators on a daily basis. | Student has much more freedom. Student must accept responsibility for his/her actions. |
| 7. Distractions | Distractions are from school and community but these are partially controlled by school and home. | Many more distractions. Many more temptations to neglect academic demands. Many more opportunities to become involved in nonproductive activities. |
| 8. Value Judgments | Student often makes value judgments based on parental values. Student may have value judgments made for him/her. | Student-student contact and instructor-student contact may lead to new value judgments arrived at without parental guidance. |

Adapted from "What Education Life after High School? Successful Transition for Students with Learning Disabilities to Postsecondary Educational Settings," by Daryl Mellard 1994, in E.S. Ellis & D.D. Deschler (Eds), Teaching the Learning Disabled Adolescent (p.1-49). Copyright 1994 by Love Publishing.

Disability Resources

Department of Assistive & Rehab Services (DARS)

Uvalde Field Office
112 Joe Carper Rd.
Uvalde, TX 78801
(830) 486-7530

Eagle Pass Field Office
1593 S. Veterans Blvd.
Eagle Pass, TX 78852
(830) 773-9259

Del Rio Field Office
700B E. Gibbs Street
Del Rio, TX. 78840
(830) 703-3040

Main Office in Austin
4800 N. Lamar Blvd.
Austin, TX 78756
1-800-628-5115

Texas State Commission for the Blind

San Antonio Field Headquarters
4204 Woodcock Drive, Ste. 274
Trinity Bldg., 2nd Floor
San Antonio, TX 78228-1324
1-210-785-2750
1-800-687-7039

Recordings for the Blind and Dyslexic

www.rfbdtexas.org or www.rfbd.org

National Headquarters
20 Roszel Road
Princeton, NJ 08540
1-866-RFBD-585

Texas Unit
2186 Jackson Keller, #434
San Antonio, TX 78213
1-877-246-7321

Texas State Library and Archives Commission (a regional library)

Talking Book Program
P.O. Box 12927
Austin, TX 78711-2927
Tel: (512) 463-5458
TDD: (512) 463-5449
www.tsl.state.tx.us/tbp/index.html

Braille Services

Education Service Center, Region 20
1314 Hines Avenue
San Antonio, TX 78208-1899
1-210-370-5678 or
1-800-514-9310
Fax: (210) 370-5696
www.braille.edu

Texas School for the Deaf

www.tsd.state.tx.us
1-800-332-3873

Important Telephone Numbers

| | |
|---|---------------------|
| Southwest Texas Junior College | |
| Uvalde Campus | 830-278-4401 |
| Del Rio Campus | 830-775-1555 |
| Eagle Pass Campus | 830-758-4100 |
| Crystal City Campus | 830-374-2828 |
| | |
| Admissions & Registrars | 830-591-7255 |
| | |
| Bookstore | 830-591-7270 |
| | |
| Business Office | 830-591-7356 |
| | |
| Campus Housing (Uvalde) | 830-591-7284 |
| | |
| Carl D. Perkins | 830-591-7324 |
| | |
| Vice President of Student Services | 830-591-7287 |
| | |
| Director of Student Engagement & Success | 830-591-7296 |
| | |
| Disability Support Services | |
| Uvalde, Hondo, Pearsall & Crystal City | 830-591-2908 |
| | 830-591-4152 |
| | |
| Eagle Pass Campus | 830-758-4102 |
| | |
| Del Rio Campus | 830-703-1560 |
| | |
| Financial Aid | 830-591-7368 |
| | |
| Miller Library | 830-591-7367 |
| | |
| Student Success Center | 830-591-4173 |
| | |
| Student Support Services | 830-591-7296 |
| | |
| Testing Center | 830-591-7346 |
| | |
| Writing Center | 830-591-2908 |

SWTJC Web Page Address

www.swtjc.edu

Commonly asked Questions by Students

What does substantially limiting mean?

According to Section 504 of the Rehabilitation Act of 1973, substantially limiting is defined as being unable to perform a major life activity, or significantly restricted as to the condition, manner, or duration under which a major life activity can be performed, in comparison to the average person or to most people.

What is a major life activity?

Section 504 of the Rehabilitation Act of 1973, defines a major life activity as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Do I have to inform a postsecondary school that I have a disability?

No. However, if you want the school to provide an academic adjustment, you must identify yourself as having a disability. In any event, your disclosure of a disability is always voluntary.

What academic adjustments must a postsecondary school provide?

The appropriate academic adjustment must be determined based on your disability and individual needs. In providing an academic adjustment, your postsecondary school is not required to lower or effect substantial modifications to essential requirements. For example, although your school may be required to provide extended testing time, it is not required to change the substantive content of the test. In addition, your postsecondary school does not have to make modifications that would fundamentally alter the nature of a service, program or activity or would result in undue financial or administrative burdens. Finally, your postsecondary school does not have to provide personal attendants, individual devices, readers for personal use or study, or other devices or services of a personal nature, such as tutoring or typing.

Do I have to prove that I have a disability to obtain an academic adjustment?

Generally, yes. Your school will require you to provide documentation that shows you have a current disability and need an academic adjustment.

What documentation should I provide?

You are required to provide documentation prepared by an appropriate professional, such as a medical doctor, psychologist or other qualified diagnostician. The required documentation must include the following: a diagnosis of your current disability; the date of the diagnosis; how the diagnosis

was reached; the credentials of the professional; how your disability affects a major life activity; and how the disability affects your academic performance.

I received accommodations in high school or I had an Individualized Educational Plan (IEP). Can I use the IEP as documentation?

While the IEP is a valuable resource of information, it **cannot** be used as sole verification of the disability. This is because postsecondary education presents different demands than high school education, and what you need to meet these new demands may be different. Also, in some cases, the nature of a disability may change. All cases will be reviewed on an individual basis; however, a need for additional verification may be necessary either through formal interview/discussion or external documentation.

When should I talk with my instructor(s) about the accommodations that I will need?

It is important that you meet with the instructor(s) early in the semester to discuss your disability and the specific accommodations that you will need. You should schedule an appointment with each instructor before or during the first week of the semester.

How can I tell my instructor about my disability?

Your DSS counselor will provide a form, which can be used to inform your instructor of your disability. After you and your DSS representative have discussed possible accommodations that are appropriate for your disability, the DSS representative will make a preliminary determination regarding the accommodations to be provided and an Accommodation Request Form will be prepared. You will be given a copy to take to each of your instructors.

What if my instructor(s) asks questions about my disability?

You are free to discuss your disability with your instructor(s) if you are comfortable in doing so; however, instructors do not have the right to know any details of your disability if you do not wish to share that information. **The more you can comfortably share about what works for you, the better your instructor will understand how they may help with the accommodations process.**

I often miss classes due to my disability and yet my instructor has warned me that he/she will deduct points for missed classes. Can he/she do this?

Yes. If your instructor views classroom attendance and participation as essential components of the class and it is written as such in the syllabus, all students can be held to this standard.

Does Disability Support Services provide on-campus mobility assistance?

At this time there are no cart services available to students to assist them in getting to and from their classes. Students with mobility impairments are obligated to provide their own wheelchairs or other individually prescribed devices.

Will the College provide specialized equipment?

The college cannot provide personal equipment. Students are expected to have their own wheelchairs, hearing aids, and other personal adaptive equipment.

How about books on tape or Brailled material?

DSS counselor will provide the student information concerning recorded textbooks or material available in Braille. Students who are eligible for these services should contact Recordings for the Blind and Dyslexic and Braille Services. (See *Disability Resources* List) It is crucial that requests for taped books or material in Braille be made in a timely manner. Advanced planning is the key to having the books available **on the first day of class.**

What should I expect in the classroom?

Expect to maintain the standards that apply to **everyone** else in the course. With the exception of minor adjustments in the process of how you receive and give back information to the instructor(s), the content **will not** be altered. Accommodations apply only to course procedure and processes, not to course content.

What about confidentiality?

Information that a student with a disability shares with the DSS service provider is treated as confidential and is not made available to the public. Your DSS counselor will not share a student's information without the student's consent.

Will I have a note taker for my classes?

If note-taking is an approved accommodation, the DSS counselor can provide NCR paper that allows volunteer note takers to assist students who are unable to take notes for themselves. **It is your responsibility to pick up the NCR paper from the DSS office.** The instructor **may** assist you in locating such a classmate.

Who has to pay for a new evaluation/report?

Neither your high school nor your postsecondary school is required to conduct or pay for a new evaluation to document your disability and need for an academic adjustment. This may mean that you have to pay or find funding to pay an appropriate professional to do it. If you are eligible for services through your state vocational rehabilitation agency, you may qualify for an evaluation at no cost to you.

Commonly asked Questions Regarding the ADA and Section 504:

Q: May colleges deny services if a student refused to document his or her disability?

A: No. However, documentation can be extremely beneficial in the accommodations process. If a student cannot provide relevant documentation, other avenues are available.

Q: Can a college be held liable under the ADA if it is unaware of a student's disability?

A: No. The college's obligation to provide a reasonable accommodation applies only to known disabilities.

Q: Does an institution have any obligation to lower its admissions standards for individuals with disabilities?

A: No. An applicant's disability should play no part in an admission decision and the institution has no obligation to lower its admissions standards to admit an applicant with a disability.

Q: What is the scope of the college's obligation to provide auxiliary aids or services to students with disabilities in the classroom?

A: An educational institution has a duty to provide **reasonable** accommodations in the classroom for students with known disabilities when services have been requested in a timely manner.

Q: Does a college have any obligation to provide personal services or devices?

A: No. An educational institution is not required to provide a student with a disability with personal or individually prescribed devices.

Q: Must an institution lower its academic standards to accommodate a student with a disability?

A: No. However, it should be noted that a college may be required to make some accommodations to its academic requirements to ensure that such requirements do not discriminate or have the effect of discriminating on the basis of the student's disability.

Q: Does an institution's obligation extend to providing accommodations during a test to a student with a disability?

A: Yes. Reasonable accommodation must be provided if appropriate notice is given.

Q: Must an institution's library materials be accessible to students with disabilities?

A: Yes. The institution has an obligation to ensure that students have effective access to library materials.

What are MY responsibilities as a Student?

- **You are responsible for making the initial contact before or immediately after the semester begins with the appropriate DSS counselor.**
- **It is your responsibility to bring relevant information, such as recent documentation of your disability, to the initial contact.**
- **You must visit the DSS office in person and request Accommodation Request Forms for your instructors **each and every semester**.**
- **You are responsible for notifying your DSS representative if you need more, fewer, or modified forms for your instructors.**
- **If you are requesting to take an exam in the Student Success Center, it is up to you to fill out the proper form and have it approved by your instructor before turning it in to the DSS office. Requests should be submitted at least **one week** in advance of the test date.**
- **If you have **testing accommodations**, it is up to YOU to remind the instructor at least **48 hours (2 days)** in advance of the test so accommodations can be arranged.**
- **If receiving “lecture notes” is one of your accommodations, then you are responsible for making any copies of the notes that are necessary. The only responsibility of the instructor is making the notes available to you.**
- **If you are not receiving all of your accommodations, it is your responsibility to let your DSS representative know immediately after the incident has occurred.**

Who do I contact?

Students requesting accommodations must contact the DSS counselor at the campus they will be attending:

SWTJC Uvalde, Hondo, Crystal City, & Pearsall Campuses:

Krystal S. Ballesteros
830/591-2908

Ana Lisa Conde
830/591-4152

Brenda Hoffman
SWTJC Eagle Pass Campus
830/758-4102

Marilyn Casson
SWTJC Del Rio Campus
830/703-1560