

# *New River Community College*

## Center for Students with DisAbilities

### Policies and Procedures

#### POLICIES

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

#### I. GENERAL INFORMATION:

##### A. Definition of Disability

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

##### B. Federal Law

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

1. has a physical or mental impairment
2. has a record of such impairment, or
3. is regarded as having such an impairment which substantially limits one or more major life activities such as walking, seeing, hearing, speaking, breathing, or learning

#### II. COMPLIANCE WITH SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE AMERICANS WITH DISABILITIES ACT (ADA) OF 1990:

New River Community College personnel shall not deny any student with a disability who is otherwise qualified for participation in any program or course because of the disability.

New River Community College states the following:

New River Community College policies prohibit discrimination on Section 504 and ADA in its educational programs, activities, or employment and admissions practices. Inquiries regarding Section 504 and ADA compliance may be directed to the Affirmative Action Officer at 540-674-3600 ext. 4241 or mail to NRCC, Box 1127, Dublin, VA 24084

### III. REASONABLE ACCOMMODATIONS

Accessibility to college programs is accomplished through the provision of “reasonable accommodations” which are defined as those modification and/or use of auxiliary aids which equalize opportunity to acquire and demonstrate mastery of information and skills. Eligibility for the use or reasonable accommodations and/or auxiliary aids is based on medical and/or professional documentation of disability and continuing need for students who have identified themselves as having a disability. It is the student’s responsibility to request appropriate reasonable accommodation. Reasonable and appropriate accommodations will be determined on a case-by-case by the professional staff or the Center for Students with DisAbilities. Provision of authorized accommodations will be defined by staff evaluation of the documentation provided.

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

1. pose a direct threat to the health or safety of others;
2. constitute a substantial change or alteration to an essential element of a course or program;
3. pose undue financial or administrative burden on the College.

### IV. ELIGIBILITY

A. To be eligible to receive services, a student with disabilities must:

1. self-identify to the appropriate Contact Office (Center for Students with DisAbilities)
2. provide documentation from 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. have the ability to benefit from the academic program in which the student is enrolled and must have a reasonable chance of success in that program with reasonable accommodations.
4. students must meet regular admissions requirements for New River Community College.

B. All students with disabilities must demonstrate (with reasonable accommodations) acquisition of skills and knowledge required for successful completion of courses in which they are enrolled.

### V. APPEAL/GRIEVANCE RIGHTS

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

### VI. CONFIDENTIALITY

Appropriate confidentiality will be maintained concerning the student’s disability, except as required by law, or on a need-to-know basis, or where there is an imminent risk of harm to the student or others. Confidential records will be maintained for a period of five (5) years, after which they will be destroyed unless a student has provided written request for the confidential maintenance of records.

## VII. APPLICABILITY AND ACCESSIBLE FORMAT OF COLLEGE POLICIES

All college policies and procedures are available in the New River Community College Counseling Center in Rooker Hall and all other publications that are 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 pursuant to the Americans with Disabilities Act (ADA) and Section 504 of the National Rehabilitation Act.

## PROCEDURES

1. The following office at New River Community College will serve as the Contact Office for students with disabilities (students must self-identify):
  - A. Students that are deaf or hard of hearing work with the Center for the Deaf and Hard of Hearing located in Rooker Hall. Lucy Howlett is the Center's Coordinator and can be reached at 540-674-3619 (voice or TTY).
  - B. Students who have a significant learning disability, Attention Deficit Hyperactivity Disorder and all other students with disabilities (including physical, psychiatric, and those students in the Autism Spectrum) work with the Center for Students with DisAbilities. Jeananne Dixon is the CSD Coordinator and is located in Rooker Hall Counseling Center. The number to contact her is 540-674-3600 ext. 4358.
  
2. Procedure for Informing Students and Potential Students About Support Services:
  - A. Descriptions of services available to students with disabilities will appear in the Student Handbook along with information about the appropriate Contact Office.
  - B. The following statement will be sent to each student with his or her acceptance letter:

“Any student who has a disability and is in need of reasonable accommodations should contact on of the following offices:

Center for the Deaf and Hard of Hearing (CDHH): 540-674-3619  
Center for Students with DisAbilities (CSD): 540-674-3600 x 4358
  
3. Application for Services Process: The following guidelines were developed to assure that documentation will provide sufficient information to verify eligibility and to support request for accommodation in a timely manner.
  - A. Students with Disabilities working with the Center for Students with DisAbilities need to present a written request for reasonable accommodations and the supporting documentation to the appropriate office at the earliest possible date.
  - B. Students applying to the CSD need to attend an Information Meeting (Orientation takes place in August) to learn the current requirements and procedures. The minimum documentation requirements are:
    1. Diagnosis aptitude and achievement tests complete with subtest scores in percentile or standard score form.

\*Preferred tests are the Weschsler Adult Intelligence Scale – Revised (WAIS-R) and the Woodcock-Johnson Psychoeducational Battery – Revised
    2. It is not acceptable to administer only one test for the purpose of diagnosis.
    3. The documentation must clearly establish that there is a specific learning disability which significantly impacts on otherwise college-level abilities.

4. The documentation must also contain sufficient information to verify accommodation needs ant the college level.

\*Basic skills (reading, writing, math) and information processing must be addressed.

5. Testing should have been administered within the last three years.

#### 4. Procedures for Using Reasonable Accommodations:

- A. Students must sign a letter that is sent to the faculty that will notify them of any student in their class who may need accommodations because of a disability. The specific academic adjustments needed will also be communicated to the faculty member: Arrangements for trying to get note-takers, books on tape, etc. will be made by the staff in the CSD.
- B. Students working with CSD must request preparation of their Academic Accommodation Forms at the beginning of each semester. Forms will be produced within one week of that request after which students are to pick them up or ask that they be sent to faculty.

\*Students are encouraged to make an appointment with each of their professors. At that time, the student should give the professor the form and discuss with him/her what academic adjustments the student is likely to need in that particular class and how they will be carried out.

#### C. Testing Modifications:

Extended-time (time and a half or double time) and/or “quiet room” tests shall be provided by the CSD staff. Students must sign up on the Testing Board at least 24 hours prior to the test.

1. Written instructions from the professor are required if the student may use a calculator, formula sheet, or open book.
2. Faculty may send or bring their tests to CSD where they will be kept under strict security. After completion, the faculty member may pick up the test in the CSD or arrange for delivery under secure conditions.
3. Proctors who act as scribes or readers will read test items/written responses exactly as given. Proctors will not provide additional information, interpretation, or definitions about test items unless specifically included as part of the modification provided to the student.
4. Tests will be administered in accordance with written instructions from the professor.
5. Tests for distance education classes shall be addressed to meet the needs of student to ensure that a timed DE test will be extended to time and a half up to double time.
6. If a student is found cheating, the professor will be called and the student will lose their testing privileges for that semester (to be restated with permission by the CSD Coordinator).

#### D. Tape Recording of Classes:

Each student for whom taping lectures is an appropriate academic adjustment will be required to sign a Tape Recording Agreement. (Attachment I)

E. Note-takers, scribes, and sign-language interpreters:

1. Note-takers and scribes will write down what is said and nothing more.
2. Interpreters will translate only.
3. Note-takers will be provided if found in the class or work-study placement. If a note-taker is not found, a tape recorder will be provided.

F. Aides/Personal Assistants:

The College does not provide personal assistants or services of a personal nature (including assistance with eating, toileting, dressing, or locomotion around campus).

G. Equipment:

1. NRCC does not provide personal devices such as wheelchairs or individually prescribed devices such as hearing aids.
2. Information on modified or specialized equipment available at the college may be obtained from the CSD.

H. Building and Room Location:

1. When necessary, classes may be moved to an accessible location to accommodate a student with a mobility disability, or under documented special circumstances
2. This determination shall be made by the appropriate professional in the CSD in conjunction with the faculty member and the head of the department for that course.

I. Course Substitution:

1. Course substitution may be considered as a last resort after a good-faith effort by the student, provided the substitution does not alter the nature of the program in which the student is enrolled or excuse the student from courses that are integral to the program in which the student is enrolled. The student's documentation must support the accommodation.
2. This decision shall be made by the Dean of the Division of the student's major field in consultation with appropriate department chair-people and/or faculty after review of a recommendation made by the appropriate professional in the CSD.

J. Field Trips:

1. If a field trip is scheduled for a class in which a student with a disability is enrolled and transportation is provided by NRCC, that transportation will be accessible.
2. Field trips and field experiences for courses in which students with disabilities are enrolled must be made to accessible sites, or alternative field trips/experiences must be offered to the entire class unless the field trip or experience in question is an essential component of the course and no reasonable alternative exists.

5. Procedures for Disposition of Records:

Students with disabilities who have requested accommodations but have not attended NRCC for a period of five (5) years, may need to provide new documentation.

6. Appeal/Grievance Procedure:

- A. A complaint should be filed in writing, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
- B. A complaint should be filed within 10 workdays after the complainant becomes aware of the alleged violation where a specific incident or occurrence happened.
- C. An investigation, conducted by the ADA Coordinator as may be appropriate, and a meeting of the ADA Advisory Committee shall follow a filing of a complaint.
- D. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the ADA Coordinator and Advisory Committee and forwarded to the complainant no later than 10 workdays after its filing.
- E. The ADA Coordinator shall maintain the files and records relating to the complaints filed.
- F. The complainant may request a reconsideration of the case in instances of dissatisfaction with the resolution. The request for reconsideration should be made within 10 workdays to the college's EEO/AA Officer. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the EEO/AA Officer and forwarded to the complainant within 10 workdays after the request for reconsideration.
- G. If a grievance is against the ADA Coordinator, the ADA Grievance Procedure shall be followed except the complaint should be filed with the college's EEO/AA Officer, Dr. Mark Rowh and the request for reconsideration should be filed with the President, Dr. Jack Lewis.
- H. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by nor shall the use of this procedure be a prerequisite to the pursuit of other \*remedies.

- I. These rules shall be construed to protect the substantive rights of interested persons to meet appropriated due process standards and to assure that New River Community College complies with the ADA and implementation of the regulations.

\*Other remedies include the filing of an ADA complaint with the federal EEOC or other responsible federal agency. State employees may also file a complaint with the state EEO or initiate a grievance under the state grievance procedure.

# TAPE RECORDING AGREEMENT

## *Center for Students with DisAbilities*

### **Tape-Recorded Lecture Policy Agreement**

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

**PLEDGE:** I HAVE READ AND UNDERSTAND THE ABOVE POLICY ON TAPE-RECORDED LECTURES AT NEW RIVER COMMUNITY COLLEGE, AND I PLEDGE TO ABIDE BY THE ABOVE POLICY WITH REGARD TO ANY LECTURES I TAPE WHILE ENROLLED AS A STUDENT AT NEW RIVER COMMUNITY COLLEGE.

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Signature

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Date

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Witness

\*84.44 of Section 504 of the Rehabilitation Act of 1973  
(P.L. 930112, amended P.L. 93.516)

Exam taking assistance is available through the Center for Students with DisAbilities in conjunction with your instructor(s). Please provide and comply with the following information as soon as you are aware of your testing needs. **ALL TESTS/EXAMS** must be scheduled in our office at least 24 hours in advance of the test/exam.

Meet with your professor to discuss your disability and exam arrangements. Find out what types of exams you will have (multiple choice, essay, short answer). If your instructor can provide you with the proper accommodations you need for your disability for your exams, you can take the exams in their office or in the classroom under their supervision. If they can't, then you may take the exams through our office with you instructor's cooperation. The following procedures must be followed in order to take your exams in the CDS testing room:

1. Schedule your name, date, time, professor, and class on the CSD testing chart.

All exams are to be scheduled at the same time as your regular class is scheduled to take it. Exceptions are only when you have back-to-back classes or if you have an evening class or exam. If you have an evening class or exam, some professors will allow you to take the exam the following day or give it to you before or after the class. If you have a conflict, check with your instructor before scheduling your exams to see when he/she will allow you to take it. Instructors must call or write CSD staff of changes.

2. It is necessary to notify CSD staff, when scheduling exams, of special accommodations that are required for each exam (i.e., reader, scribe, distraction-free space or double time). If CSD staff is not made aware of these needs at that time, these accommodations will not be made available at the time of your taking the exam. For example, space for double time will not be available if not scheduled originally. You must schedule in advance a reader or scribe if needed. Students must place an \* next to name for scribe or reader.
3. If special adaptive equipment is needed (e.g., CCTV, large print, taped exams, slide projector, special lighting or a computer) in order for you to take your exam, you must let us know in advance at the time you schedule your exams.
4. DELIVERY and RETURN arrangements are CSD's responsibility when taking exams in the CSD. Exams can be handled in one of the following ways:

**DELIVERY**  
STUDENT  
INSTRUCTOR  
CSD DESIGNEE

**RETURN**  
STUDENT or  
CSD to FACULTY

Remember, CSD will pick up your exams and coordinate your exam arrangements.

If a student is found to be cheating, the professor/instructor will be called and asked to come to the testing room. A copy of the “cheating material” will be given to the instructor and for that test/semester the instructor will determine the grade.

The student has lost their privilege of using the testing room and will not be allowed to continue to take tests in this environment.

#### **CHANGES/CANCELLATIONS OF EXAMS:**

If a change in arrangements is necessary, please notify us as soon as possible. If you cancel an exam and want to reschedule for the next day or later, CSD must have written or verbal permission from your instructor.

Extended time depends on student documentation not to exceed double time. If a student has a class the next hour, he/she must be in early or notify CSD staff prior to receiving test. If student has seen the complete test, and indicates that he/she needs to go to the next class, he/she must hand in the test without completing it.

**Each student is responsible for understanding and complying with the above procedures. If you have any questions or concerns regarding the above procedures, please contact us at Extension 4357 or Extension 4358 before scheduling your exams.**