

Student Guidebook of Policies & Procedures



**Support Services for
Students with Disabilities**
Office of Disability Services (ODS)



Available in alternate format

Office Contact Information:

504 Coordinator: Suzan Walsh Clemens, Director of Support Services
Support Services - Office of Disability Services
Pierpont Community & Technical College

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Fairmont, WV 26554	Relay #: 711
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<https://www.pierpont.edu/current-students/disability-services>

Hours of Operation

8:00 am to 4:00 pm
Monday through Friday
All semesters when school is in session

To make an appointment to see a counselor/coordinator:

- Call our office at 304-534-7878, or
- Email us at access@pierpont.edu

Social Media

Facebook: Pierpont's Support Services
Twitter: PCTC's Support Services@wellnessPCTC

CONTENTS

The Purpose of this Guidebook	Page 4
What is Disability Services?	
Who We Are	Page 5
Our Philosophy	Page 5
Our Mission	Page 5
Confidentiality & Release of Information	Page 6
Non-Discrimination Statement	Page 6
Differences Between K-12 and Higher Education	Page 7
Definition of a Disability in Higher Education	Page 7
Reasonable Accommodations for Disabilities	Page 8
Initiating Services and Accommodations	
Step 1: Gather documentation of your disabilities	Page 9
Step 2: Make an appointment with our office for an intake	Page 10
Step 3: Complete the scheduled intake with our office	Page 11
Step 4: Meet 1-on-1 with your instructor	Page 11
Step 5: Bring the signed Accommodation Letter back to our office	Page 12
Step 6: Maintain communication with our office	Page 12
Self-Advocating for Your Rights	Page 12
Students with Disabilities Preparing for Postsecondary Education: Know your Rights and Responsibilities	Page 15
Student Rights & Responsibilities	Page 16
Grievance Procedures	Page 18
Accommodations, Aids & Services	Page 24
Accommodation Letter	Page 26
Accessible Media (handouts, textbooks, etc.)	Page 27
Attendance Modifications/Accommodations	Page 28
Behavior Issues – Student Code of Conduct	Page 29
Curriculum Modification Policy and Procedure	Page 30
Emergency Procedures	Page 31

Emotional Support Animals	Page 32
Extracurricular Events	Page 33
Exam/Quiz Accommodations	Page 34
Medical Leave of Absence	Page 37
Mobility Assistance	Page 38
Note-Taking Assistance	Page 38
Parking for Persons with Disabilities	Page 39
Personal Counseling	Page 39
Personal Needs	Page 40
Practicums, Internships, Field Trips & Study Abroad	Page 40
Priority Scheduling – Registering for Classes	Page 40
Service Animals	Page 41
Sign Language Interpreting, Transcription, and Real Time Captioning (ITR) Services) and FM Hearing Systems	Page 42
Tutoring Services	Page 44
WV Division of Rehabilitation Services Office Locations	Page 45
Appendix A: Realistic Expectations of College, Differences in Accommodations K-12 to College	Page 46
Appendix B: Documentation of Disability & Eligibility	Page 49
Appendix C: Pierpont’s Disability Services’ Online Forms	Page 51

U.S. Department of Education, Office of Civil Rights has oversight
of delivery of educational programs and activities.

Portions of this publication are reprinted and modified from the following handbooks:
Student Handbook - Ohio State University; Disabled Student Programs & Services, Student
Handbook, Riverside Community College District; Dual Credit Students with Disabilities,
Disability Support Services (DSS), Southwest Texas Junior College ; Elon College
Guidebook. Others are referenced in footnotes and citations.

The Purpose of This Guidebook

The purpose of this guidebook is to inform Pierpont students about policies and procedures in Pierpont’s Office of Disability Services (ODS). The guidebook does not contain the entire range of policies and procedures. It contains the information most students need to know about Pierpont’s accommodations, aids, and services. If you have any questions that this guidebook does not answer, please contact us. We will be happy to share more information with you. It is important to us that your questions are answered.

This guidebook is a "living document" in that it is in continual revision to reflect amendments to and interpretations of disability laws, in addition to advances in technology and acquisitions of the college that affect available accommodations and aids. Be sure to check the most current revision of this guidebook for up-to-date information.

Pierpont is committed to giving all reasonable accommodations
to help its students succeed!



What Is Disability Services?

Who We Are

The Office of Counseling & Disability Services is a department under the Office of Student Services. Disability Services (ODS) is part of that department. Our Office coordinates services and provides advocacy and support to students with documented physical, learning, and psychological disabilities. We work as a team with faculty and staff in responding appropriately to requests for accommodations based on documented disabilities to help students reach their educational goals.

Our Philosophy

Our vision is in the creation of a society in which individuals with disabilities flourish and fully participate. As education opens doors for persons without disabilities, it also opens doors for those who do have disabilities. We see the educational environment as nurturing and challenging individuals to become responsible decision-makers, problem solvers, and self-advocates. We are committed to a philosophy of acceptance, compassion, and support for those we serve, and we strive to provide an emotionally safe and respectful environment. We support students of all identities including age, culture, race, sexual orientation, language, mental and physical ability, spirituality, size, socio-economic status, political perspective, and worldview.

Our Mission

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, ODS provides support services and programs that enable students with disabilities to receive equal access to an education within legal mandates. We coordinate academic accommodations and support services, promoting independence and self-advocacy, and providing information and referral to appropriate resources. Our activities ensure that all Pierpont educational programs are accessible to qualified students with disabilities. We assist our students in reaching their full potential by fostering a supportive and inclusive educational environment through building and maintaining partnerships with faculty and staff, promoting disability awareness among all members of the College community, and providing guidance regarding College policies and procedures. We advocate that students be judged on their abilities, not on their (dis)abilities.

Confidentiality and Release of Information

- The Office of Disability Services (ODS) views all materials pertaining to a student's disability as confidential. Our office follows HIPAA¹ and FERPA² guidelines. All disability-related information for students at Pierpont Community & Technical College is housed in ODS.
- FERPA and the Americans with Disabilities Act (ADA) do not allow faculty or others access to disability-related information without the student's permission, and this includes the student's parents.³
- When requested by faculty, ODS coordinators will confirm registration and approved accommodations. ODS will not share a student's specific diagnosis or medical information with college faculty or staff without the student's consent.
- Exceptions: Following federal guidelines, disability information may be released only when a student gives permission unless: students manifest behavior indicating an intention to harm themselves or others; students experience a medical emergency; students report or describe physical abuse, neglect, or sexual abuse or exploitation of children or vulnerable adults; or when required by law due to a court order or subpoena (in which case every effort will be made to contact the student).

Non-Discrimination Statement

It is the policy of Pierpont Community & Technical College that no discriminatory practices based on gender/sex, race, religion, color, age, national origin, disability, height, weight, or any other status covered by federal, state or local law be allowed in providing instructional opportunities, programs, services, employment or in policies governing student conduct and attendance.

Any person believing that Pierpont Community & Technical College or any part of the organization has engaged in a discriminatory practice should contact the CARE Team at Pierpont, CARE@pierpont.edu, or the Vice President of Human Resources, the Title IX Coordinator at Advanced Technology Center, 500 Galliher Drive, Fairmont, WV, 26554. (304-367-4907).

¹ Health Insurance Portability and Accountability Act (HIPAA) <http://www.hhs.gov/hipaa/>. Accessed November 15, 2016.

² Family Educational Rights and Privacy Act (FERPA) <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>. Accessed November 15, 2016.

³ Under the Family Educational Rights and Privacy Act (FERPA), when a student is 18 years old or enters a postsecondary institution at any age, the rights under FERPA transfer from the student's parents to the student. <http://www2.ed.gov/policy/gen/guid/fpco/faq.html>. Accessed November 9, 2016.

Differences Between K-12 and Higher Education⁴

College is different than kindergarten through grade 12 (K-12). In K-12, schools are required by law to find students with disabilities, test the students, create a plan, and monitor the student's progress. In college, students are expected to be more self-sufficient than students in K-12. The difference begins with the students needing to self-identify in college by coming to the Office of Disability Services (ODS). The students also are required to self-advocate by going to their instructors to present their accommodation letters and discuss their accommodations. Pierpont's ODS helps students navigate these differences. Laws governing provision of accommodations for disabilities differ from K-12 (Section 504⁵ and IDEA⁶) to higher education (Section 504 and ADA⁷). Not all accommodations that are given to students during K-12 will be available to them in college (e.g., modified assignments). ODS can help you understand this process in college.

Definition of a Disability in Higher Education

For a student to receive accommodations in college, her/his disability must meet the definition of a disability under the Americans with Disabilities Act. The ADA §12102.1⁸ defines a disability in relation to an individual as:

- “a physical or mental impairment that substantially limits one or more major life activities of such individual,
- a record of such impairment, or
- being regarded as having such an impairment.”

⁴ See *Appendix A – Realistic Expectations of College*.

⁵ The Rehabilitation Act, introduced as H.R. 8070 by Representative John Brandemas (D-IN) and S. 1875 by Senator Jennings Randolph (D-WV), and it was signed by President Richard Nixon on September 26, 1973. <https://www.dol.gov/oasam/regs/statutes/sec504.htm>

⁶ The Individuals with Disabilities Education Improvement Act of 2004 governs the provision of services for individuals with disabilities from kindergarten through 12th grade. <http://idea.ed.gov/explore/view/p/%2Croot%2Cstatute%2C>

⁷ The Americans with Disabilities Act (ADA) was passed and signed into law by President George H.W. Bush on July 26, 1990. It was amended by the ADA Amendments Act of 2008. <https://www.ada.gov/pubs/adastatute08.pdf>

⁸ The Justice Department amended the definition of disability on August 11, 2016. Information can be found at <https://www.federalregister.gov/documents/2016/08/11/2016-17417/amendment-of-americans-with-disabilities-act-title-ii-and-title-iii-regulations-to-implement-ada>. Accessed December 7, 2016.

Reasonable Accommodations for Disabilities

If a student’s documented disabilities meet the ADA definition of a disability, the student might qualify for reasonable accommodations. An accommodation is an “academic adjustment” or “modification”, which levels the playing field, allowing a qualified student (“qualified individual”) with the disability to compete on an equal basis with qualified students who do not have disabilities.

Reasonable accommodations approved by Pierpont’s Office of Disability Services are provided to qualified students at no charge to the student with the disability.

How is “Qualified Individual” Defined?

A qualified individual with a documented disability is a person who meets legitimate skill, experience, educational, or other requirements of an educational program, and who can perform the essential functions of the program with or without reasonable accommodations.

“‘[w]ith respect to postsecondary and vocational education services,’ a qualified individual is someone ‘who meets the academic and technical standards requisite to admission or participation in the [school’s] education program or activity..’” 45 CFR § 84.3(k)(3) (1978) [28]”.⁹

What Is a “Reasonable Accommodation”?

A reasonable accommodation is a modification or an adjustment to the college’s policies, procedures, practices, and facilities to ensure full participation in campus life. A reasonable accommodation cannot:

- waive or lessen essential requirements for a class or program,
- lower academic standards,
- fundamentally alter the nature of the program,
- pose a threat to the health and safety of the student or of others,
- or impose an undue burden on the College or University.

⁹ White Paper on Inclusion of Students with Disabilities in Nursing Educational Programs for the California Committee on Employment of People with Disabilities (CCEPD), <http://www.aacn.nche.edu/education-resources/Student-Disabilities-White-Paper.pdf>, accessed August 25, 2016.

In addition, the reasonable accommodation must meet the underlying reason for the requirement.”¹⁰

“Accommodations simply provide an alternative way to accomplish the course requirements by eliminating or reducing disability-related barriers. They provide a level playing field, not an unfair advantage.”¹¹

Basically, if you are a qualified student who has a documented disability that meets the definition of a disability under the Americans with Disabilities Act, you probably qualify for reasonable accommodations in college. If you are not sure about any part of this, contact our office. We are here to help you.

Initiating Services and Accommodations

Step 1: Gather documentation of your disabilities.

You can do this in several ways (ex., evaluations, letters from health care providers, etc.), depending upon your disability and what health care services you are currently receiving. Documentation must be a current¹² verification of your disability, not your entire medical file, provided by an appropriate health care or rehabilitation provider¹³ who is: a) qualified in the appropriate specialty area, and b) is not related to you. The documentation should be on letterhead, dated, and signed by the provider. (See *Appendix A – Documentation of Disability & Eligibility*.) Most providers are familiar with providing documentation of this type. If you do not have documentation, contact us.

¹⁰ Quoted from a summary of a case judgement provided by the Office of Civil Rights, Philadelphia, PA, August 30, 2016.

¹¹ American Psychological Association, <http://www.apa.org/pi/disability/dart/toolkit-three.aspx>, accessed August 25, 2016.

¹² “Generally documentation which is less than three years old is adequate, although the age of the documentation is dependent upon the condition, the current status of the student, and the student’s request for accommodations.” Association on Higher Education and Disability (AHEAD), accessed August 24, 2016.

<https://www.ahead.org/frequently-asked-questions-0>.

¹³ For example: physicians, psychiatrists, psychologists, nurses, physical therapists, occupation therapists, speech therapists, vocational rehabilitation specialists (ex., WV Department of Rehabilitation Services), licensed mental health professional.

If you have more than one disability (ex., physical handicap [physical] and attention deficit disorder [psychiatric]), the Office of Disability Services (ODS) can request information pertaining only to the disability that requires a reasonable accommodation or may need documentation from different professionals, depending on the type of disabilities.

Individualized Educational Plans (IEPs) from high school can be used for documentation of a history of accommodations given; but they usually do not provide the needed diagnoses, unless they include psychological or medical evaluations. Bring them and anything else that you have. If you have questions about appropriate documentation, please contact our office. We also can help you with information and/or referrals to obtain documentation.

Pierpont’s ODS has the right to deny academic accommodations, adjustments, and/or auxiliary services if:

- appropriate documentation has not been provided, or
- the disability does not fit the definition of a disability as defined by the Americans with Disabilities Act, or
- a requested accommodation is deemed unreasonable based on recognized interpretations of the Americans with Disabilities Act or Section 504, or
- providing an accommodation would impose undue hardship to the College or fundamentally alter a program or activity of the College (see *What is a “Reasonable Accommodation”* above).

Step 2: Make an appointment with our office for an intake.

This should be done as soon as possible. We can register students even before the semester begins. However, you can register with us at any time. **If you qualify to receive accommodations, you cannot receive accommodations until you complete an intake with us.**

You can make an appointment in several ways:

- Call our office: 304-534-7878
- Email our office: access@pierpont.edu

Step 3: Complete the scheduled intake with our office.

The intake takes 1 ½ hours to complete, and it follows a protocol that is utilized for every student. You will meet with your disability coordinator face-to-face or using video. This gives you the opportunity to ask questions. It is important to us that you understand the process.

During the intake, you will discuss your documentation and diagnoses, and how your disability might impact your schooling in relation to your disability. We will look at your program of choice. You will be given an orientation about our websites and our services. If you qualify for accommodations, you will be given a letter listing your accommodations with explanations about how the accommodations can be performed. Help with self-advocacy is available.

Step 4: Meet 1-on-1 with your instructors.

It is recommended that you request a 1-on-1 meeting with each of your instructors or visit each one during their office hours in the first or second week in the semester, or as soon as you receive your accommodation letter, to discuss your accommodations. **Your accommodations do not begin until your instructor(s) receives your letter, and they are not retroactive.** Just giving the instructor your accommodation letter without a meeting does not start some accommodations (ex., extra time for tests), which is why you should meet with the instructor.

When meeting with your instructor, discuss each accommodation as it will be implemented in that particular class. You do not need to share information about your disability. That is private health information. Your instructors only need to know what your accommodations are. If you are comfortable sharing your private health information, that is your right.

Step 5: Bring the signed Accommodation Letters and other documentation back to Disability Services

When you have met with all of your instructors, bring the signed Accommodation Letters back to ODS. We will scan them and attach them to your file as documentation of your meeting with your instructor and the accommodations you agreed upon. We can give the originals back to you, or we can shred them for you.

Step 6: Maintain communication with our office.

ODS provides many services in addition to creating your accommodation plan. We can help you with organization and time management, test anxiety, and multiple other things through our Learning Strategies section. We also like to know how things are going with you. If you are having any problems, do not wait. Check in with us!

Self-Advocating for Your Rights¹⁴

NOTE: While this section deals with legal issues, it is not legal advice. If you need legal advice, please contact an attorney.

Are You Protected From Discrimination Under the Law?



If you have a physical or mental illness or other health condition that affects your day-to-day living and you meet the school's eligibility criteria for admission, you are probably a person with a disability protected by the law. You do not lose the protection of the law if you use medication or equipment to minimize or eliminate the effect of your condition on your daily life.



You are not protected under the law if your health condition is temporary (less than 6 months in duration) and will heal fully. For example, a broken bone or a sprain is not a disability. Also, the law does not recognize ordinary poor vision or pregnancy as a disability.

¹⁴ Modified from Your Rights in College, Disability Rights, North Carolina.
<http://www.disabilityrightsn.org/sites/default/files/2013%20Higher%20Ed%20Self-Advocacy%20Packet.pdf>.
Accessed November 23, 2016.

Student Codes of Conduct

If your disability is a mental health condition, you still have to follow the student code of conduct. Behavior caused by or related to your mental illness may put you at risk of discipline.

You may ask for reasonable accommodations to help you adhere to the code of conduct.

If you disclose your disability for the first time after learning that you have violated the code of conduct, the school does not violate your rights if it continues with disciplinary proceedings. The reason is that accommodations are not retroactive, and were not in place prior to your violation; so the incident will be treated as a violation without an accommodation. It is still a good idea to disclose your disability and request accommodations that will help you follow the code of conduct in the future. It may also help the school better understand why you behaved the way you did and open the door to a non-disciplinary resolution.

If you disclose your disability, the school is allowed to ask that you provide medical documentation of your disability. The school may only ask for enough documentation to confirm your disability and identify appropriate accommodations for you. You cannot be required to turn over your entire mental health or medical file.

Involuntary Leave From School

If you have been asked to leave the college, you may be provided with a hearing or some sort of appeal process. During the appeal, it will be helpful for you to show that you can comply with conduct rules in the future with specific supports and/or accommodations in place. If you are not registered with Disability Services, it might help to register with our Office. If you are registered with Disability Services, contact your coordinator, who might be able to give you suggestions. If the college decides to place you on an involuntary leave or evicts you from school housing, the college or university should support its action with concrete evidence that there are no accommodations that would allow you to remain safely in school. After you are placed on leave, you may later request to return to school. You should be prepared to show that you are not a threat to the health and safety of others, which may be demonstrated with proof of active care and treatment from mental health professionals.

FERPA – the Family Educational Rights and Privacy Act

As a student, you have a right to see your educational records and to ask your school to correct any records you believe are inaccurate or misleading. You may already be familiar with this law if you were asked to sign a “FERPA release” at your high school in order to get a copy of your IEP and evaluations to provide to Pierpont’s Office of Disability Services. You also may want to invoke your FERPA rights if you need access to your educational records to prepare for a disciplinary hearing. You may learn more about FERPA on the Department of Education website at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>.

Learn More About Your Rights/Find Support

- The National Alliance on Mental Illness (NAMI), sponsors campus NAMI chapters and provides helpful information for students with mental health conditions on the “NAMI on campus” section of its website. Connect with NAMI on the web at <http://www.nami.org/>.
- The Bazelon Center is an advocacy group that has published suggested policy for how schools best work with students with mental illness in the classroom. The campus mental health section of the Bazelon Center website is found by going to <http://www.bazelon.org>, clicking on community integration link on the homepage, and then on the campus mental health link.

Resources

- Your first stop when you are having trouble related to your disability should be Pierpont’s Office of Disability Services. The disability services staff is dedicated to helping students with disabilities succeed.
- Vocational Rehabilitation (VR) is a State agency that helps people with disabilities prepare for and find work. All of its services are free. If higher education is in your plan for employment, VR may help you pay for school. You can learn more about VR at <http://www.wvdrs.org>.
- The Job Accommodation Network is a federal agency that helps people identify and implement reasonable accommodations. All of its services are free. You can learn more about the Job Accommodation Network at www.askjan.org.
- The Office of Civil Rights (OCR) at the federal Department of Education is a federal agency that enforces the rights of students with disabilities. OCR provides information about the educational rights of students with disabilities online at <http://www.ed.gov/policy/rights/guid/ocr/disability.html>.

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 is quoted from a document that is produced by the U.S. Department of Education. It gives students with disabilities information about their protected rights in a postsecondary school setting.

U.S. Department of Education, Rod Paige, *Secretary*
Office for Civil Rights, Gerald A. Reynolds, *Assistant Secretary*

September 2011

U.S. Department of Education

Office for Civil Rights

Washington, D.C. 20202

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.¹⁵

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.¹⁶

Student Rights & Responsibilities

NOTE: This is a summary of rights and responsibilities, and is not intended to be comprehensive or a legal mandate.

Student Rights

Confidentiality

- To have all disability-related information treated confidentially by ODS, faculty, and staff.

Accommodations

- To receive appropriate accommodations in a timely manner from faculty and ODS if you qualify for accommodations, you have completed the intake, and have provided to and discussed with your instructor your accommodation letter.
- To meet privately with faculty to discuss needed accommodations and any other concerns.
- To receive assistance and cooperation from ODS, faculty, and staff in facilitating the appropriate accommodations that you have received.

¹⁵ You may be familiar with another federal law that applies to the education of students with disabilities—the Individuals 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 pamphlet does not discuss the IDEA or state and local laws that may apply.

¹⁶ U.S. Department of Education, Office for Civil Rights, *Students with Disabilities Preparing for Postsecondary Education: Know Your Rights and Responsibilities*,. <https://www2.ed.gov/about/offices/list/ocr/transition.html>. Accessed January 23, 2017.

Student Responsibilities

Acquire Knowledge & Skills

- To research the program of interest to learn what is involved (ex., classes, internships, etc.) for graduation from the program.
- To learn about how your disability might affect your success in the program, and how the disability can be accommodated.
- To work with ODS coordinators to develop self-advocacy skills in relation to sharing your accommodation needs with others.

Accommodations

- To provide ODS with appropriate documentation of your disability.
- To provide each of your instructors with copies of your accommodation letters as soon as possible and meet with them to discuss each accommodation as it applies to that class.
- To understand and follow guidelines associated with your accommodations.
- To notify faculty/ODS immediately when an accommodation is not being provided completely or correctly.
- To notify faculty/ODS immediately when a decision has been made to not use an accommodation or the accommodation is no longer needed.

Confidentiality

- To go to the instructor's office hours or make an appointment with the instructor to facilitate privacy when requesting accommodations.

Communication

- To act as own advocate within the limits of your disability.

Adherence to Codes & Regulations

- To act in ways that do not violate codes or regulations

Grievance Procedure

What if your accommodations are not being given to you?

NOTE: To use this grievance process, the student:

- 1) MUST be registered with disability services, and
- 2) MUST have informed their instructor(s) about their disabilities prior to experiencing the accommodation issues.

Grievance Procedure¹⁷

This dispute/grievance resolution procedure was designed to reflect Pierpont's commitment to complying with requirements of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act of 1990 (ADA), which require that no qualified person, by reason of disability, should be denied access to, participation in, or benefits of any program which is operated by the College. Each qualified person shall receive reasonable accommodation to ensure equal access to educational opportunities, programs and activities in the most integrated setting appropriate. The Americans with Disabilities Act (ADA) also prohibits discrimination against any individual on the basis of disability.

Individuals with disabilities who have followed published procedures¹⁸ for requesting accommodations and have done so in a timely fashion, but who believe they have not been granted approved accommodations or access to a College program or activity, may file a grievance according to this policy. Students' grievances will be heard in accordance with the process outlined below. College community standards and administrative policies prohibit any retaliatory actions toward students as a result of filing a grievance or for participating in any manner in the investigation.

¹⁷ This procedure was adopted and modified from Elon College's Disability Services' guidebook; <http://www.elon.edu/docs/e-web/academics/advising/ds/guidebook.pdf>. Accessed November 23, 2016.

¹⁸ See Pierpont's Student Guidebook of Policies & Procedures, which can be found at <https://pierpont.edu/current-students/student-services/disability-services>. ODS can provide a student with a copy of the Guidebook.

This disabilities grievance procedure addresses only those grievances based on a documented disability as defined by the Americans with Disabilities Act as amended and does not supersede other College policies and procedures (ex., general grade appeals, honor code violations, etc.). Students are encouraged to consult with the Support Services’/Disability Services’ Director regarding the most appropriate College policy or procedure for addressing a particular concern not covered by this grievance procedure.

Following the steps of this grievance procedure does not prevent the student from registering a complaint with the Office of Civil Rights, the Department of Justice, or filing a civil lawsuit.¹⁹

Step One: Procedure for the Informal &/or Formal Process of Resolving Complaints (Meet with the Person)

The student may begin the Step One process with either the informal or formal process.

Informal: An informal process, while completely voluntary, is encouraged whenever possible. The informal review should be initiated as quickly as possible after the student experiences an incident. Students must report incidents as soon as possible to promote resolution at the earliest opportunity, but reports must be received within 180 calendar days (excluding College holidays) after the last incident. This informal procedure is the recommended first step as it allows for greater flexibility, is less adversarial, and does not preclude utilizing the administrative review (Step Two) or the formal grievance procedure (Step Three) if that proves necessary. The student may choose to consult with the Support Services’/Disability Services’ Director at any time in the grievance process.

The first step in the informal grievance procedure is for the student initiating the grievance (hereafter known as the Grievant) to meet directly with the person perceived to have not provided an accommodation or to have discriminated against him or her due to the student’s disability (hereafter known as the Respondent). They may be able to resolve the issue or agree on some corrective action in a cordial atmosphere.

¹⁹ See https://www.ada.gov/filing_complaint.htm.

If the Respondent is an instructor or other college personnel or entity: The Support Services’/Disability Services’ Director may be asked to assist either or both parties in the informal process. If the grievance is resolved, the Director will write a memorandum of understanding²⁰ to both the Grievant and the Respondent summarizing the resolution. A copy of this document will be signed by the Grievant, the Support Services’/Disability Services’ Director, and the Respondent.

If the grievance is against the Disabilities Services Counselor for not providing a reasonable accommodation: The student should attempt to resolve the matter with the Counselor directly. If the matter is not settled with the Counselor, then the student should appeal directly to either the Support Services’/Disability Services’ Director or Pierpont’s Assistant Vice President of Enrollment Management (AVP) and the Provost²¹, who, working as a team, will assist the grievant through the procedure described in Step Two below. If the grievance is resolved, the AVP and the Provost will write and sign, along with the Grievant, the memo of understanding referenced above.

If the grievance is against another student: The matter may be referred to the Judicial Officer under Pierpont’s student code of conduct (See Pierpont’s Student Handbook, which can be found at www.pierpont.edu > Current Students > Student Handbook).

Formal²²: If, for any reason, the Grievant chooses not to utilize the informal grievance procedure, the first step in the formal grievance procedure is for the Grievant to submit a written complaint.

²⁰ A memo of understanding is a document that expresses mutual accord on an issue between two or more parties. They are generally recognized as binding, even if no legal claim could be based on the rights and obligations laid down in them. To be legally operative, a memo of understanding must: 1) identify the contracting parties; 2) spell out the subject matter of the agreement and its objectives; and 3) summarize the essential terms of the agreement; and 4) must be signed by the contracting parties. Quoted from: <http://www.businessdictionary.com/definition/memorandum-of-understanding-MOU.html>. Accessed December 15, 2016.

²¹ The student can find contact information for both officials by asking the Disability Services’ coordinator for the information or by contacting Pierpont’s Student Services in person at the Advanced Technology Center or by calling Student Services (304-367-4907) or by sending an email to studentservices@pierpont.edu.

²² The formal process is based on an example of a Section 504 grievance procedure found at the U.S. Department of Health & Human Services, <https://www.hhs.gov/civil-rights/for-providers/clearance-medicare-providers/section-504-grievance-procedure/index.html> . Accessed January 13, 2017.

The form for this can be obtained by contacting ODS or by submitting the online form found at www.pierpont.edu > Current Students > Disability Services > Student Resources > Report Disability Accommodation Issues. When the complaint is received, the Support Services'/Disability Services' Director will contact the student, conduct an investigation of the complaint, and issue a written decision on the grievance within 30 days. If the grievance is against the Disabilities Services Coordinator or the Support Services'/Disability Services' Director for not providing a reasonable accommodation, see the sections above under *Informal*.

Step Two: Procedure for Administrative Review (Consult with Pierpont's Assistant Vice President of Enrollment Management (AVP) and/or the Provost)

If the grievance is not resolved at Step One or the student wishes to move directly to an Administrative Review, bypassing Step One, the student should consult with the Pierpont's Assistant Vice President of Enrollment Management (AVP) and the Provost. A request for an Administrative Review must be filed with the AVP and the Provost no more than 180 calendar days (excluding College holidays) after the last incident or within 14 calendar days (excluding College holidays) of the dispensation of an informal review in Step One. The AVP and the Provost will investigate, in consultation with the Support Services'/Disability Services' Director, and attempt to resolve the grievance in a more structured but informal manner through an Administrative Review. If the Respondent is the Director acting as a Disability Services Coordinator, this person will be replaced as a consultant in this Step by another consultant with comparable experience in Disability Services.²³ The investigation may include a meeting with the student, the Disabilities Coordinator, the Support Services'/Disability Services' Director, the faculty or staff respondent, in addition to the department head or academic dean and other parties who may have information or insight pertinent to the case. The Grievant should also sign and file with the complaint a "release of information" statement regarding information in the student's disability file, permitting review of such information by individuals involved in the grievance process. These forms may be obtained from the AVP and the Provost.

²³ The replacing consultant can be someone from another organization, such as Fairmont State University. To maintain confidentiality under FERPA, the grievant will sign a release of information form for the non-Pierpont consultant or all information concerning the Grievant will be de-identified in reports, files, and communications.

The AVP and the Provost will initiate the review and attempt to resolve the complaint within 14 calendar days of receiving the complaint (excluding College holidays). The time frame may be extended if the Grievant or the AVP and the Provost provide compelling reasons for a time extension. Once the Administrative Review has been concluded, the AVP and the Provost will issue a written notice of the outcome of the process to the Grievant, the Respondent, and the Support Services’/Disability Services’ Director. If the Grievant is not satisfied with the disposition of the grievance after the Administrative Review or, if a decision has not been reached in 14 calendar days (excluding College holidays), the student may initiate Step Three, Formal Grievance Procedures.

Step Three: Procedure for Initiating a Formal Grievance Procedures (File a Grievance to be Heard by Pierpont’s Disabilities Hearing Committee)

Step Three occurs when a student is dissatisfied with the findings in Step Two. To initiate Formal Grievance proceedings, the student must submit a formal grievance in writing to the President²⁴ no more than 180 calendar days (excluding College holidays) after the last incident or within 14 calendar days (excluding College holidays) of written notice of the results of the Informal Process in Step One or the Administrative Review in Step Two. The time frame may be extended if the Grievant or the College provides compelling reasons for a time extension. The grievance must include all of the following information and must be signed and dated by the Grievant. A grievance will not be considered to have been filed unless it includes all the required information, shown below, in the time frame indicated:

- The name and contact information of the Grievant;
- The name of the person allegedly responsible for not providing an accommodation or for committing a discriminatory act(s) based on the disability (Respondent), *with* a description of the nature of the person’s (Respondent’s) relationship to the College;
- A description of the accommodation not provided or type of discrimination alleged, based on the Grievant’s disability as described in this document;

²⁴ To initiate Step Three, the student must contact the Assistant to the President (304-367-4933). The student can find contact information for the Assistant to the President by contacting the Disability Services’ coordinator, the AVP, or the Provost or by contacting Pierpont’s Student Services at the Advanced Technology Center or by sending an email to access@pierpont.edu.

- A description of the circumstances of the alleged discriminatory act(s), including, dates, location(s), witnesses, and supporting documents if available;
- The names and contact information of any individuals with knowledge of the incident(s) comprising the student’s complaint, who could serve as a witness(es) if needed; and
- The Grievant should also sign and include with the grievance a "release of information" statement regarding information in the student's disability file, permitting review of such information by individuals involved in the grievance process. The “release of information” forms may be obtained from the AVP and the Provost. (This form must be filled out, even if a “release of information” form was filled out in Step Two.)

Upon receiving the formal grievance, the President will, in writing, send a timely acknowledgement of receipt to the student that a formal review has been initiated. The President will convene a Disabilities Hearing Committee, composed of three (voting) members appointed by the President, within 30 calendar days (excluding College holidays) from receipt of the grievance to hear, read, and review all evidence presented in the disability grievance. At least one of the members of the Disabilities Hearing Committee will be a faculty member. The Support Services’/Disability Services’ Director (non-voting member) will consult with the Disability Hearing Committee. If the Respondent is the Director acting as the Disability Services Coordinator, this person will be replaced as a consultant in this Step by another consultant with comparable experience in Disability Services.²⁵ The President will appoint a chair for the Committee.

Hearing Guidelines:

- The Hearing Committee will read the formal grievance and then interview the Grievant and any relevant witnesses named by the Grievant.
- The Grievant may have a Grievance Advisor present throughout the formal hearing procedures to provide guidance and support. The Grievance Advisor must be a currently

²⁵ The replacing consultant can be someone from another organization, such as Fairmont State University. To maintain confidentiality under FERPA, the grievant will sign a release of information form for the non-Pierpont consultant or all information concerning the Grievant will be de-identified in reports, files, and communications shared with the consultant.

enrolled student or current faculty or staff member; attorneys are not allowed to participate in these proceedings. The Grievance Advisor may not address the Hearing Committee unless permitted to do so by the chair of the Hearing Committee. In extreme situations where the Grievant's disability prevents him or her from presenting their grievance to the committee, the student may request an accommodation to have the Grievant's Grievance Advisor to assist in the presentation of Grievant's complaint.

- The Hearing Committee will interview the Respondent and any relevant witnesses as requested.
- The Hearing Committee may request additional information, interview other witnesses, meet with a consultant, request a written response from witnesses, and choose to examine relevant written materials if any.
- Once the Hearing Committee has considered relevant statements and materials they will meet in closed session, deliberate, and render a finding.
- As expediently as possible and within 14 calendar days (excluding College holidays) of the conclusion of the hearing and upon conclusion of committee deliberations, the chair of the Hearing Committee will write a letter of determination to the AVP and the Provost, who will forward a copy of the letter to the Grievant, the Support Services'/Disability Services' Director, and the Respondent.
- The decision of the Hearing Committee is final and represents the final word of the College on this matter.
- All records regarding grievances based on disabilities will be kept for a period of at least five years in the Office of the Disabilities Services Coordinator and the AVP and the Provost. All standards with regard to disclosure or release of records will be in accordance with federal guidelines and regulations that govern student educational records.

Accommodations, Aids & Services



Important Note: Services and accommodations are authorized based on your disability and specific functional limitations. If you qualify for accommodations, you may not receive all of the accommodations contained in this handbook.

An accommodation is an “academic adjustment” or “modification”, which levels the playing field, allowing the student with the disability to compete on an equal basis with students who do not have disabilities. Students with documented disabilities are entitled to receive reasonable accommodations to afford them an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity.²⁶

All aids and services (accommodations) determined by ODS and listed on the Accommodation Letter must be provided to a student, unless the provision or the modification lessens or waives essential requirements for a class or for a program. Accommodations cannot lower academic standards, fundamentally alter the nature of the program, pose a threat to the health and safety of the student or of others, or impose an undue burden on the College. Accommodations simply provide an alternative way to accomplish the course requirements by eliminating or reducing disability-related barriers. They provide an equal opportunity, not an unfair advantage. You still must fulfill the essential requirements of your program.

If an instructor advises that s/he cannot provide an accommodation, the instructor must contact ODS and report this. There will be some accommodations that will not be needed for specific classes. For example, if one of your accommodations is extra time for taking tests, and the tests are online and open for completion for several days, the extra time would not be applicable in this situation. If you have any questions, contact our office.

Changes in Accommodations: If you need to make changes to your accommodations or you no longer need or choose not to use your accommodation, you need to contact ODS. All changes in accommodations go through ODS, they are not negotiated or approved by individual instructors. Depending upon the type of accommodation and your diagnosis, additional documentation may be required. Contact ODS for more information.

²⁶ Assuming that the student’s disability meets the definition of a “disability” under the Americans with Disabilities Act and the student has completed an intake with the college’s disability services office.

Important: *If an instructor proposes modifications to the accommodations listed on the letter and the modifications are not acceptable to you and you feel compelled to agree with the proposed modifications, contact your ODS coordinator and share your concerns. Your coordinator will work with you and the instructor to resolve any issues.*

Accommodation Letter

- All students registered with the Office of Disability Services (ODS) receive an Accommodation Letter. The Letter certifies to your instructors that you have provided legitimate documentation of your disability, and that you are covered by Federal law (Section 504 of the Rehabilitation Act, Americans with Disabilities Act).
- The Accommodation Letter lists the reasonable accommodations afforded to you by ODS based upon your disability; it DOES NOT specify your disability.
- If you need a copy of your letter, contact our office or fill out and submit the online form on our website <https://pierpont.edu/current-students/student-services/disability-services/accommodation-letter-request-form>.
- It is your responsibility to provide your instructors a copy of your letter, meet with them, and arrange your accommodations for each class. (See *Initiating Services and Accommodations*.) You and each instructor sign a letter for the class the instructor teaches.
- When all of your Accommodation Letters are signed, bring them to Disability Services to be scanned and attached to your records.

Obtaining Accommodations Each New Semester

- Each of your instructors must be notified that you receive accommodations and be given a copy of your accommodation letter at the beginning of each semester. It is up to you to initiate a private meeting with your instructor to make sure you and the instructor understand how your accommodation needs will be met in that particular class. Even if you have had the instructor for classes before, it is important to make sure that you understand your accommodations in relation to the new class, and that the instructor remembers that you receive accommodations. The signed Accommodation Letter is a record of this meeting. You should bring the signed Letters to Disability Services each semester to be scanned and attached to your file.

The following list is of commonly given reasonable accommodations for students with documented disabilities who qualify for accommodations and are registered with ODS. Since disabilities are as unique as the individuals who have them, there are other accommodations not on this list that may be provided depending upon your diagnosis, if you qualify for accommodations. Again, you may not receive all of the accommodations on this list, depending upon your specific disability or the essential functions associated with the class. Talk with your disability coordinator for more information.

Accessible Media (handouts, textbooks, etc.)

Available Formats (depending upon the media):

- PDF image or searchable text
- Word document (.doc)
- Rich text format (.rtf)
- Paper enlargements
- Braille (4-6-month advance notice requested for some literature types)

Process and Procedures:

- Meet with your Disability Services coordinator to be approved for the Accessible Media accommodation.
- Schedule an orientation with Disability Services staff if you have not worked with text-to-speech programs for using these formats before. Disability Services cannot provide you with the programs, but can help you locate free versions or find resources to help you obtain the programs.
- Contact Disability Services staff as soon as you schedule classes each semester and indicate the specific classes for which you would like Accessible Media. (Please also contact Disability Services if you change your schedule.)
- Proof of ownership (ex., receipts of purchase or rental) is required by publishers for provision of alternate format textbooks.

- When you receive the materials, please check that the materials are working and are in the correct format within 24 hours of receipt. Immediately contact Disability Services if you experience a problem.

Note: *Only required textbooks are routinely converted; additional course materials (including Blackboard articles, recommended texts, etc.) can be converted upon request.*

Attendance Modifications/Accommodations

For students that have disabilities with random acute episodes that may require them to miss class, Disability Services will approve for the student to be granted a reasonable number of excused absences and reasonable deadline/participation flexibility. If you have been given this accommodation, when you meet one-on-one with your instructor to discuss your Accommodation Letter, you and the instructor will decide what constitutes reasonable accommodations for that particular class. An attendance modification agreement must be reasonable, meaning it cannot compromise the essential design and learning outcomes of the course. Reasonableness is determined by the course design. For guidance in determining what would be reasonable in a given class, your instructor and you should refer to the Attendance Modification Agreement Examples handout that will be given to you with your Accommodation Letter. When you and your instructor decide on the reasonable accommodation that is specific to that class, write the attendance accommodation on the accommodation letter.

Note: If the instructor's proposed attendance modifications are not acceptable to you, contact your disability services coordinator and share your concerns. Your coordinator will work with you and the instructor to resolve the issue.

By using an attendance modification, you agree to:

- **Only use your attendance modification agreement for disability-related absences.** Absences due to common illnesses (not disability related), personal conflicts, or other non-disability related reasons should be held to the standard course attendance policy.

- **Maintain prompt and regular communication with your instructors about your disability-related absences.** You should inform your instructors of disability-related absences in advance or as soon as possible after an occurrence. If a student does not provide prompt communication about an absence, that absence may not qualify for the attendance modification and therefore may not be excused.
- **Contact both your instructor and your Disability Services coordinator in advance if you suspect that you will not be able to meet the terms of the agreement.** For example, if you are approved for a maximum number of 6 excused absences and halfway through the semester you have 5 absences, it is likely you will go over the maximum amount by the end of the semester. This should be communicated to your instructor and Disability Services coordinator. While your Disability Services coordinator can work with you and your instructor on that situation, there is no guarantee that the original accommodation will be modified.
- **Submit your requests in a timely manner.** Like all other accommodations, an attendance modification cannot be retroactive. Attendance modification agreements made mid-way through the semester may not apply to absences, late assignments, or lost participation points earlier in the semester. Therefore, timely requests are imperative.

Behavior Issues – Student Code of Conduct

Students registered with Disability Services must obey Pierpont’s Student Code of Conduct²⁷, and, if they reside in housing, Fairmont State’s Residential Life Guidebook.²⁸

²⁷ Pierpont Community & Technical College Student Handbook, https://pierpont.edu/sites/default/files/forms/Student_Affairs/2014-2015%20Student%20Handbook.pdf. Accessed November 18, 2016.

²⁸ <http://www.fairmontstate.edu/files/institutionalforms/formrepo/reslife-guidebook.pdf> Accessed November 16, 2016.

Curriculum Modification Policy and Procedure

Disability Services supports petitions for course substitutions in cases of foreign language, quantitative²⁹, or other non-major specific course requirements as a reasonable accommodation

- **if** a student's disability documentation supports the petition **AND**
- **if** the course(s) in consideration is (are) not essential to the student's major.

If you choose to initiate a petition for course substitutions, you should adhere to the following procedures:

1) Meet with your Disability Services coordinator to review your documentation and discuss the procedures. There must be evidence in your documentation that your disability has a significant impact on the learning of the specific coursework in question. Your Disability Services coordinator may write a letter to document your disability. Each request is entertained on a case-by-case basis.

2) Write a personal statement as to why **you** feel your disability has/will impact your ability to be successful in that course or courses.

3) Submit all documentation to your academic advisor. The college – **not** Disability Services – reviews all curriculum modifications. Although your Disability Services coordinator may provide a letter and assist with the application process, the decision ultimately rests with the college or department.

Substitutions are not automatically supported for persons who may have had substitutions or waivers of a course requirement from other institutions. If you anticipate needing a substitution, you should begin the curriculum modification process at least a full semester prior to the semester you desire to take the course substitution(s). You are still responsible for fulfilling the credit hours for the course. So, if the modification is approved, you will be required to take an equivalent class (with equivalent hours) determined by your academic advisor.

²⁹ An example of a quantitative curriculum modification would be taking only 9-12 hours of classes when the program requires 15 hours in a semester.

Emergency Procedures

In order to ensure safety, you and all students should develop an emergency plan or a strategy **in advance of an emergency**. ODS can give you blank emergency safety plans to complete and share with others.

When making your plan, think about how you should respond to an emergency. It usually depends on:

- the type of emergency
- your specific disability
- the location of your classes
- where you work or live on campus

Students with mobility impairments

Elevators provide access for students with mobility impairments to classrooms throughout campus. However, during an emergency such as a fire, elevators can be very dangerous and often cease working. Furthermore, elevators have been known to break down at times leaving people with mobility impairments stranded on upper floors. As a result, it is unlikely that you will be able to evacuate without the assistance of others.

Students with visual or hearing impairments

If you have a visual or hearing impairment, you should develop a plan of action for emergency situations as well. For students with visual impairments, an ideal time to develop this plan is at the start of each semester as you work with a Disability Services staff member or another person to locate your classrooms. Regardless of the type of your impairment, it is important to determine how you will be advised of an emergency by discussing the plan with your instructors, RAs, or supervisor.

Students with seizure disorders or other medical conditions

If you have a medical condition and you have emergencies (ex., seizures, asthma attacks), it is wise to alert your instructor to your condition and discuss how you wish for them to respond. Let them know what to expect if you were to have an episode during class and under what

circumstances it would be necessary to call for an ambulance. ODS can provide you with a disability safety plan to complete and share with your instructors, RAs, and supervisors.

The following steps can help to ensure your safety in an emergency:

1. Make a plan

For every building in which you have class, work, or live on campus, locate an area or refuge, which could include a stairway or an adjacent classroom/room with a fire rated door and walls, where you will await rescue during a fire. Become familiar with alternate ways to exit the buildings. If your class, dorm, or office already has a plan, discuss it in relation to your disability. ODS, RAs, and your instructors can be resources for information. Determine in advance who would be responsible for helping you, if you need help, in all situations – classes, residence halls, work, etc. Let the person know that they are part of your plan.

2. Inform others of your plan

In most instances, this should be the instructors of your classes (a good time is when you discuss your Accommodation Letter), your resident advisor (RA), or your work supervisor. Let him or her know the location you have selected to await rescue personnel in the case of an emergency (i.e., classroom in the Northwest corner of this floor).

Important Note: For any emergency, for ALL students the first step is to contact 911. When reporting the emergency, it is important to indicate your specific evacuation needs (e.g., you use a wheelchair, or a respirator, or have breathing or stamina difficulties).

Emotional Support Animals³⁰

Emotional support animals, comfort animals, and therapy dogs are not service animals under Title II and Title III of the ADA. To qualify to have the accommodation of

³⁰ Fair Housing Information Sheet #6, Bazelon Center for Mental Health Law, <http://www.bazelon.org/LinkClick.aspx?fileticket=mHq8GV0FI4c%3D&tabid>. Accessed November 18, 2016.

having an emotional support animal, you would need to have specific documentation from a professional (ex., psychologist, therapist, physician, psychiatrist, rehabilitation counselor) who is not related to you, that is dated and signed on letterhead that states:

1. the history of the professional's care of you, including the functional limitations imposed by your disability in line with the Americans with Disabilities Act and the Rehabilitation Act;
2. the professional's substantiation that due to your disability you require the presence of a support animal, including diagnoses and rationale; and
3. verification of the knowledge of the professional's familiarity with the professional literature, including research, concerning the therapeutic benefits of assistance animals for people with disabilities.

Contact ODS for information.

Extracurricular Events

Departments that offer programs or events that are open to students and/or to the public must be accessible to persons with disabilities. Public announcements or advertisements about the event should include a statement regarding accessibility and whom to contact to request special assistance. If a student with a disability elects to attend an extracurricular event that is voluntary (not required for a class or program), services to those students with disabilities are the responsibility of the activity host (ex., athletic department, theater, graduation committee, student sponsored activity group, etc.). If the extracurricular event is required for a class or program, Disability Services will provide the services. Disability Services can act as a consultant to the student with the disability or to the department, committee, or board in meeting individual requests for accommodations at such events. Contact ODS for more information.

Exam/Quiz Accommodations

If you have been given the accommodation of taking your exams/quizzes in a quiet place, you have several exam options available to you including:

1. Take your exams with the class, no accommodations.
2. Take your exams with accommodations that are arranged by your instructor.
3. Schedule and take your exams at Disability Services (requires 5 business days advance notice).
4. Schedule and take your exams at the Tutoring Center in the library (requires 5 business days advance notice).

Scheduling Exams at Disability Services:

We proctor tests only at the Advances technology Center. You can schedule your exam at our Office in several ways:

- Stop by our office at Room 121, Advanced Technology Center
- Call our office (304-534-7878)
- Email: access@pierpont.edu

We need 5 business days advance notice to proctor a test. It is best to schedule your exam as soon as you are aware of it, because our schedule fills up quickly. It also is a good idea to check with our office a day or two before an exam to make sure the test is on the schedule. Arrangements for accommodations for pop quizzes are the instructor's responsibility.

If we cannot proctor your test at the day or time that you request, we can work with your instructor and you to find another time, subject to the instructor's approval.

If our schedule is filled, you can contact Tutoring Services in the library to proctor your test. If Tutoring Services' schedule is filled, you still get your test proctoring. You go back to your instructor, and s/he will work with you.

Test Accommodations May Include, But Are Not Limited To:

- Extended time

- Distraction reduced space
- Assistive technology, reader, or scribe
- Computer/MS Word
- Voice recognition software
- Braille (instructor must get test to ODS at least 5 business days in advance)
- Enlarged print, clear contrast in font/background colors
- Adjustable tables

Policies for exams at Disability Services

- Faculty instructions on proctoring the test will be reviewed with you before the exam begins.
- Unauthorized materials such as hats, coats, backpacks, and unapproved books/notes are not permitted in the exam space.
- Cell Phones must be turned off and remain in your backpack or can be given to the front desk staff.
- Disability Services cannot guarantee a specific test environment (ex., only you in the room).
- You are not permitted to leave the testing area once you have begun your exam unless you have been given an accommodation that allows you to leave. There will be conditions on where you can go, etc. A proctor will accompany you.
- If you are unclear about the exam instructions or conditions, stop the exam and seek assistance from your test proctor. The proctor will attempt to contact your instructor.

Policies Regarding Academic Misconduct during Testing

- All testing spaces are monitored by an ODS staff member (a proctor) during the duration of the test. *Any student observed utilizing any unauthorized resource during an exam will be asked to cease using the resource and will be reported to the Provost and their instructor.*
- Any unauthorized notes and any scrap paper used during the exam will be copied and returned with the exam to the instructor.
- Any suspected evidence of cheating will be documented by ODS and reported to the appropriate faculty member, dean, and the Provost

Online Test Accommodations

- If passwords are required, instructors must provide passwords needed via email prior to the exam.

Proctoring Tests for Online Classes

- Students taking online classes can come to Disability Services to take their exams if they have been given testing accommodations.

Lateness, Illness, Cancellation and Rescheduling Policies

Lateness and Illness

- You are expected to be at Disability Services at the appointment time that was approved by your instructor.
- If you arrive late for your exam, you must take the exam with the remaining time or reschedule your exam with your instructor. (You can use the Test Proctoring Form on our website OR arrange that your instructor email our office).
 - There is no guarantee that the instructor will permit a make-up exam.
- This policy also applies if you are late due to illness.
 - If you are unable to take an exam due to illness or emergency, contact your instructor and Disability Services as soon as possible.

Canceling an Exam or Quiz

- Please notify our office if, for any reason, you have decided not to take your exam at Disability Services or the exam was cancelled. We can use that time for another student.

Rescheduling an Exam or Quiz

- Disability Services will accept authorization from the instructor via email, as long as the email includes the necessary information in order to administer the exam.
- Alternatively, students can use the Test Proctoring Form on our website.
 - There is no guarantee that the instructor will permit a make-up exam.

Using Readers and/or Scribes for Exams

Readers

- Readers can be asked to repeat information, so do not hesitate to ask.
- Readers will only read what is on the printed page and **cannot** be asked to interpret, define, explain, or reword questions.
- Readers need feedback from you to be effective. Let your reader know what reading tone, speed, etc. works best for you.
- If your exam is in a class with specialized vocabulary, discuss with your instructor the possibility that you need someone familiar with the vocabulary to proctor your test. ODS test proctors may not be familiar with the vocabulary.

Scribes

- Scribes will write down verbatim what you have dictated. The scribe is **not** responsible for organizing or paraphrasing your thoughts into a final draft.
- Scribes will not give you information or help you interpret the questions, etc.
- Scribes are responsible for general spelling and sentence ending punctuation. You are responsible for directing the scribe for any spelling of specific class related terminology or punctuation within sentences.
- At any time, you will have the opportunity to review what the scribe has written either by reading it or having it read to you.
- If there are corrections, you will direct the scribe to make them.
- When you are finished, it is recommended that you proof the document and ask the scribe to make any necessary changes.

Medical Leave of Absence

Pierpont does not have a policy of a medical leave of absence. If a student needs to not attend any classes for a while, her/his best option may be to withdraw. There are deadline dates by which withdrawals must be done. If the student is receiving financial aid, she/he should contact the Financial Aid Department at the Advanced Technology Center (ATC). Academic advisors in Student Services at the ATC can help with the withdrawal process.

IMPORTANT: Withdrawal sometimes might not be needed, so check with your Disability Services' coordinator before withdrawing.

Mobility Assistance

Visually impaired students may request an orientation to the campus prior to the start of classes. Students with physical handicaps also can arrange for a tour of handicapped accessible entrances and exits. If you want these services, you must arrange for an appointment for the campus orientation by emailing or calling our office.

Note-Taking Assistance

Option 1: Instructor provides notes

- When discussing your Accommodation Letter with your instructor, ask if s/he would be willing to provide you with notes or her/his comprehensive lecture slides ahead of time. The instructor can refuse.
 - If the instructor refuses, ask if s/he can provide you with the notes after class.
 - If the instructor refuses to provide notes after class, ask about the other two note-taking assistance options.

Option 2: Use of technology (audio recorder, laptop, etc.)

NOTE: You can check out an audio recorder from the library with no charge as long as you return it to the library by the end of the semester.

- Let your instructor know you'll be using an audio recorder/laptop/etc. Depending on your instructor's feelings on being recorded, you may need to refer them to our Office to discuss the situation.
 - Situations when you might be asked to not record include class discussions, because you would be recording other students' comments.
- Consider placing yourself or the recorder near the front of the room for better audio quality.
- After you no longer need the recording, delete it from your device.

Option 3: Volunteer in-class note-taker

- Explain to your instructor that you need their help in finding a note-taker in their class. The instructor can contact our office for more information if needed.

- The instructor has several options in finding a note-taker. S/he can make an announcement in class and/or send an email to the class soliciting a volunteer note-taker. This message should NOT mention you by name. Once someone expresses interest to the instructor, the instructor will connect them with you. If you do not want to be known to the note-taker, arrange with your instructor to have her/him get the notes from the note-taker and give them to you privately after class. Our office can provide at no charge carbonless copy paper for the note-taker to use.
 - If you want to interact with the note-taker, meet with the student to establish an agreed upon method for receiving the notes (e.g. emailed Word document, handwritten notes copied or scanned/emailed by the instructor or at our office, handing off carbonless paper notes to you after class).
 - Inform our office immediately if you (1) cannot find a note-taker, (2) the note-taker is not fulfilling their duties, or (3) you no longer need the assistance.

Parking for Persons with Disabilities

Students who wish to use a disabled parking space on campus must have a West Virginia Mobility Impaired Plate or Placard provided by West Virginia's Department of Motor Vehicles (DMV). With this identification, that car can be parked in designated disabled parking spaces, as well as in any other spaces (faculty/staff spaces) with the exception of metered visitor parking.

Personal Counseling

All Pierpont students have access to our Counseling Center. Information can be found on the Pierpont website. The link is shown below. Counseling services are covered by your fees, so if you need to talk or just check in with us, please contact us. Pierpont is excited to be able to reach out with services to students who are not on our main Fairmont campus using telehealth. If you need to talk to someone and you cannot come to the main campus, make an appointment and ask for a telehealth session. The session will be done using a phone call or a video (with audio) connection using your phone or your computer.³¹

www.pierpont.edu > Current Students > Counseling Center

³¹ Telehealth sessions are not recorded. Communications using telehealth might not be secure.

Personal Needs

Pierpont is not required to provide attendants, individually prescribed devices, readers or typists for personal use or study (including typing papers for class assignments), or other devices or services of a personal nature. Personal needs that necessitate an attendant are the responsibility of the student. (This may range from assistance in toileting, to being repositioned in chairs, to placing medication in the person’s mouth—any personal service.) Students with such needs must retain a personal assistant at their own expense.

Practicums, Internships, Field Trips & Study Abroad

If an instructor conducts field trips or special programs or if a program includes practicums or internships, accommodations must be offered, unless the accommodation does not meet the essential function of the program or class. When enrolling in a program, it is important to become familiar with **all** requirements and opportunities associated with the program. If the program includes or offers practicums, internships, field trips, or study abroad, it is suggested that you discuss your accommodations with the program director as soon as possible. Certain practicums and internships may not be able to afford all of the accommodations that you have been receiving for your classes. Instead, you might receive accommodations similar to those that you would receive if you were an employee in the same setting (ex., teacher, emergency medical technologist, respiratory therapist). When registering for classes that are practicums or internships or include field trips or study abroad, discuss with your advisor or the instructor of the class how your accommodations will be handled. ODS can be part of this discussion.

Priority Scheduling – Registration for Classes

Most students registered through Disability Services receive priority scheduling. If you have been informed that you have priority scheduling, this means you may register for classes prior to the start of general registration.

All students, including students who are registered with ODS, are asked to become familiar with the registration process, and academic advisors can help with this. When planning a schedule for

an upcoming semester, you should make an appointment or attend office hours for your faculty advisor, who is familiar with the programs, to help you plan your course enrollment and registration. It is to your benefit to become knowledgeable about the registration process³² and about your program of study requirements,³³ required test scores, length of program, and other factors in course planning and enrollment.

When scheduling your courses, please consider the following guidelines:

- Meet with your academic advisor **before** your registration time begins
- Research available course offerings in advance, so you are prepared once your registration time starts.
- Consider your disability-related needs and issues when scheduling.
- Your disability coordinator is not an academic advisor, but can assist you in balancing your course load to better address your disability needs.

Finding your Assigned Faculty Advisor

- Go to www.Pierpont.edu
- Click on “Portal” on the menu on the top
- Logon to the Portal using your student UCA and password
- Click on “ROAR”
- Click on you student information

You can also contact our office and we can help you with this.

Service Animals

Animals are generally not permitted in college facilities. However, it is possible that a reasonable accommodation for certain qualified students with disabilities would be the use of a service animal. Service animals are strictly defined as, “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, included a physical, sensory, psychiatric,

³² You can find information about the registration process by going to Pierpont.edu and *selecting Registration Information* in the list at the bottom middle of the page.

³³ <https://pierpont.edu/academics/academic-schools>. Pierpont Academic Schools webpage. Accessed November 28, 2016.

intellectual, or other mental disability.”³⁴ Documentation of the student’s disability in relation to needing the use of a service animal and the service animal’s training is required. Contact ODS for more information.

*Sign Language Interpreting, Transcription, and Real Time Captioning (ITR Services) and FM Hearing Systems*³⁵

Disability Services (ODS) coordinates interpreting, transcribing,³⁶ and real time captioning services for students who are registered with ODS and are deaf or hard of hearing. In-person sign language interpreters will be used when they are available, else online interpreters or real time captioning will be employed. If you have been given this accommodation, ODS also can provide interpreters or communication aids for academic-related events (e.g., attending a play required by a class), including meetings with your instructors. If you also have been given the accommodation of having note taking assistance in classes, ODS encourages you to use both services. Information about ITR services is below.

- Students are advised to request ITR services at the time of registration in order to ensure availability of an interpreter for classes.
- A minimum of 5 business days advance notice is required for ODS to provide ITR services.
- To arrange for ITR services when you have this accommodation, contact ODS by phone or in person at their office or complete and submit the online form found at:

www.pierpont.edu > Current Students > Disability Services > Request Interpreter/Transcriber

³⁴ Service Animal Defined by Title II and Title III of the ADA, <https://adata.org/publication/service-animals-booklet>. Accessed November 16, 2016.

³⁵ Students who are hard of hearing may request the use of an FM Hearing System for use in the classroom environment. The FM System utilizes a microphone and transmitter unit (worn by the instructor) and a receiver and headset (worn by the student). The instructor’s speech is transmitted to the student’s receiver unit (via FM radio signal), and the student has the ability to control volume and other settings.

³⁶ Real Time Captioning/Transcription Services – A transcriber at another location will listen to the lecture and use a computer to transcribe spoken dialogue (ex., lecture) word-for-word into written sentences. The student reads the transcription in real-time from another computer.

By using this accommodation, the student agrees to the following:

- Students have the responsibility to notify ODS immediately when, for any reason, they will be late or absent from a class. (24-hour advance notice is encouraged when possible.)
- It is the student's responsibility to arrange for ITR services for any co-curricular activities (e. g. field trips, tutoring, meetings). At least 5 business days' notice is needed.
- Students are expected to be in class on time. Interpreters (in-person and online) and transcribers have been instructed to wait for 20 minutes. If the student does not arrive within the designated time, the interpreter/transcriber will leave and notify ODS of the absence. This "no-show" will be noted in the student's file at ODS. Two "no-shows" without notifying ODS may result in suspension of ITR services for that class.
- It is the student's responsibility to contact ODS immediately at the start of class if the interpreter/transcriber has not arrived or logged on to the computer. If a substitute interpreter (in-person or online) is not available, the student may request that the lecture be recorded by the instructor.
- It is the student's responsibility to inform ODS of any changes in her/his class schedule (i.e. adds, drops, cancellations of classes) as soon as possible. Failure to do so may result in delay of provision of accommodations.
- If you don't understand something in class, ask the instructor to clarify it, not the interpreter/transcriber. The interpreter/transcriber is not a tutor or teaching assistant.
- Talk to the interpreter/transcriber or your ODS coordinator about any problems with communication access in class or with notes as soon as possible. Do not let problems continue. If your FM receiver is not working, contact ODS as soon as possible.

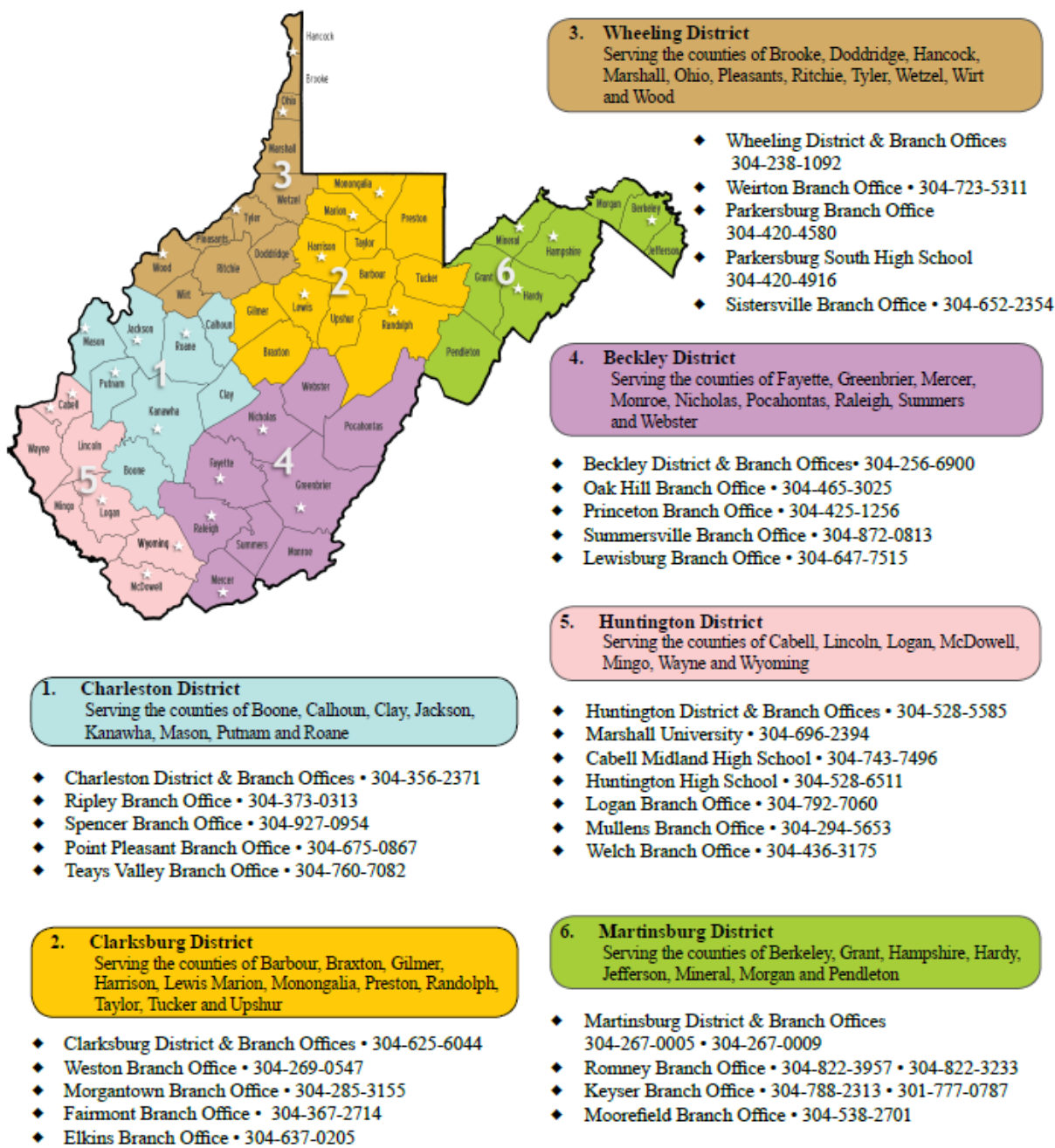
By using this accommodation when it includes provision of the notes, the student agrees to the following:

- Do not provide other students with copies of the notes. Providing notes to other students may result in a loss of service.
- The student is responsible for copying diagrams from the board or PowerPoints. The transcriber cannot get this kind of information into the notes.
- Check the spelling of all new vocabulary words in the transcription. The correct spelling is the student's responsibility.

Tutoring Services

All students have access to free tutoring services. These services include:

- Tutoring Services: Face-to-face peer tutors are available at the Advanced Technology Center and at the Caperton Center. Contact your instructor for times and locations.
- Tutor.com: Online tutoring 24/7 on multiple subjects including chemistry. Interact with a person. (Log into Blackboard and select Tutor.com..)
- Brainfuse: Online tutoring, writing assistance, and more (Log into Blackboard and select “Brainfuse HelpNow” under Tools; click on Brainfuse Tutoring Center.)
 - Live Help: Interact with a live tutor or send in a question
 - Writing Lab: Submit a paper to be proofed (it may take 24 hours or several days, depending upon the time of the semester)
 - Academic Tools and Collaboration Tools: Explore these helpful sites
- For program specific tutoring, ask your instructors if there are any students in the department who excel in their work who might help you.



If you are not from WV: To locate the division in your state, type into your browser *Division of Rehabilitation Service* with your state’s name. Disability Services can help you with this.

Appendix A³⁷
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.

³⁷ From Handbook for Dual Credit Students with Disabilities, Southwest Texas Junior College. Adapted from “What is Education Like after High School? Successful Transition for Student with Learning Disabilities to Postsecondary Educational Settings,” by Daryl Mellard, 1994, in E.

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.
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Differences in Accommodations from Grades K-12 to College³⁸

Grades K-12		College (ADA & Section 504)
IDEA '04³⁹	504 Plan⁴⁰	
Student records are accessible to student and parents ⁴¹	Student records are accessible to student and parents	Any enrolled college student's records are only accessible to the student Information cannot be released to anyone, including the parent, without a written release by the student (FERPA)
Special consideration for behavior problems	Students must follow high school behavior code	Students are held to the Student Code of Conduct; No special consideration
District identifies disability	Parent provides documentation of disability	Student is responsible to provide documentation of disability and need for reasonable accommodations
Success is more of a right	No guarantee for student success	There is no guarantee for student academic success; student is responsible for own academic success
Special education classes are provided	Regular class curriculum with modification	No special education classes; disability support office's role is to accommodate student in college level classes

S. Ellis & D. D. Deschler (Eds), Teaching the Learning Disabled Adolescent (p. 1-49).
 Copyright 1994 by Love Publishing.

³⁸ <https://www.csusm.edu/dss/applyingfordss/k12vsCollegeDifferences.html>

³⁹ **IDEA (Individuals with Disabilities Education Act of 2004):** Federal legislation that states the civil rights of students in K-12

⁴⁰ **504 Plan:** 504 plans are used to outline accommodations and services for students with disabilities in K-12 only. This is typically outside of the special education process.

⁴¹ All entries on this row are associated with **FERPA (Family Educational Rights and Privacy Act of 1974):** All students over the age of 18 are free to access their own student records, request changes to their student records, and "to have some control over the disclosure of personally identifiable information from these records." Parents of children over the age of 18 are not permitted to access their child's student records, as protected under FERPA.

Grades K-12		College (ADA & Section 504)
IDEA '04³⁹	504 Plan⁴⁰	
Free evaluation of disability	Parent is responsible for providing evaluation of disability	Student is responsible for disability evaluation
District develops Individual Education Plan (IEP) ⁴²	Services determined by 504 Plan	Student initiates request for reasonable accommodations. There are no IEPs or 504s in postsecondary education
District ensures that the IEP is implemented	District/parent/student responsible	Student is responsible for own academic progress
Entitled services identified on the IEP	Services determined by 504 Plan	Providing reasonable accommodations is not an automatic process; each college determines eligibility and what reasonable accommodations will be provided based on the disability documentation provided
Fundamental modifications to program of study permitted as identified on IEP	Fundamental modifications to program of study permitted as identified in 504 Plan	No fundamental modifications allowed: Accommodations may not result in a fundamental alteration to a course or academic program; nor impose an undue burden on an institution
Teacher can advocate for student	Parent/student advocate	Student advocates for self
Personal services: e.g., transportation, personal attendant, nurse, in class aide	No personal services provided	No personal services provided

⁴² **IEP (Individual with Disabilities Education Act of 2004):** An IEP defines the individualized objectives of a child who has been found to have a disability and is reviewed annually. The IEP only applies in K-12.

APPENDIX B

If you need to obtain new documentation of a disability, below are guidelines.

DOCUMENTATION OF DISABILITY & ELIGIBILITY

Appropriate (legitimate) documentation is required to receive accommodations. This is usually a written report prepared by an appropriate licensed professional that clearly diagnoses a disability and/or records showing the history of the disability. It may contain testing results, depending upon the type of disability. Medical doctors, psychiatrists, psychologists, and school psychologists are among the professionals who routinely evaluate, diagnose, and treat disabilities. This list is not intended to be exhaustive or to restrict assessment in other pertinent areas. The following guidelines are provided to assure that evaluation reports are appropriate to document eligibility based on professional's field of expertise:

- Hearing and speech disabilities: Qualified personnel may include ear, nose, and throat specialist, audiologist, speech therapist, psychologist, family physician, or other qualified medical specialist.
- Learning Disability and Attention Deficit Disorder: Qualified personnel may include licensed psychologist, psychiatrist, family physician, or other qualified licensed personnel.
- Mental or Psychological Disabilities: Qualified personnel include psychologist, psychiatrist, licensed counselor, family physician, or other mental health professional.
- Mobility, Coordination, Traumatic Brain Injury, HIV and AIDS, and Physical Health Disabilities: Qualified personnel may include family physician, orthopedist, neurologist, cardiologist, rehabilitation specialist, or other medical professionals. Medical records must clearly document, diagnose, and discuss the condition.
- Visual Disabilities: Qualified personnel may include ophthalmologist, optometrist, family physician, or other medical specialist.

Note: The diagnosing professional cannot be a relative.

ADDITIONAL EVALUATION REQUIREMENTS:

- Evaluations must be current,⁴³ generally within the past three years. Under certain circumstances the ODS coordinator may request an updated or more extensive evaluation.
- Diagnostic reports must include the names and titles of the diagnostician, the test(s) utilized in diagnosing as well as the date(s) of testing. Reports must be legible.
- The written report must include a specific diagnosis, clear and specific evidence and identification of a disability. For example, terms such as “learning styles,” “learning problems,” and “academic difficulties” do not constitute a learning disability.
- The documentation should include:
 - 1) a clear statement of the disability (DSM-5 or ICD-10 diagnosis, summary of the symptoms, summary of diagnostic testing, and a prognosis);
 - 2) the functional limitations of the disability in relation to schooling (how the disability interferes with or impacts your ability to participate in the educational process);
 - 3) medical information relating to the impact of medication and/or treatment on your ability to participate in all aspects of the academic environment; and
 - 4) suggested accommodations supported by disability related rationale.

⁴³ “Generally documentation which is less than three years old is adequate, although the age of the documentation is dependent upon the condition, the current status of the student, and the student’s request for accommodations.” Association on Higher Education and Disability (AHEAD), accessed August 24, 2016. <https://www.ahead.org/frequently-asked-questions-0>.

Appendix C

Pierpont’s Disability Services’ Online Forms

There are several online forms that you can use. To access the online forms, follow the steps below:

- Go to our website: www.Pierpont.edu
- Click on the “Current Students” tab on the black bar toward the top of the page
- Click on “Disability Services” on the dropdown menu which opens when you click Current Students

-OR- go to: <https://www.pierpont.edu/current-students/disability-services>

- Scroll down on the Disability Services page to the Students Resources and click on that to open the dropdown menu

The forms listed on the menu are to:

- Accommodation Letter Request (it will be emailed to you). You also can come to our office to get copies if you have completed an intake and have been provided a Letter.
- Electronic Format Text Book Request: request electronic copies of your textbooks for use with a reader (e.g., Natural Reader) if you have been given this accommodation.
- Registration Form: If you have completed an intake and have accommodations, you are registered and do not need to use this form as you are already registered with our office
- Report Disability Accommodation Issues: This is for reporting an issue with not getting your accommodations (you also can make an appointment and report them in person, call or email us whichever way works for you, please report them as soon as possible)