



Westchester
Community College

State University of New York

Disability Services Office

Policies & Procedures

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*For the purpose of this document, the word assistant refers to human intervention and aid for technology.

I. MISSION STATEMENTS

WESTCHESTER COMMUNITY COLLEGE

Westchester Community College provides accessible, high quality and affordable education to meet the needs of our diverse community. We are committed to student success, academic excellence, workforce development, economic development and lifelong learning.

DISABILITY SERVICES OFFICE (DSO)

The mission of the Disability Services Office at Westchester Community College is to provide all students with a disability a supportive and accessible environment to ensure the opportunity for these students to maximize their potential to learn, develop confidence, and become independent.

II. INTRODUCTION

In accordance with Section 504 of the Rehabilitation Act of 1973 (“Rehab Act”), The Americans with Disabilities Act Amendments Act of 2008 (“ADAAA”), Westchester Community College (hereinafter WCC) may be required to accommodate an otherwise qualified individual with a disability by making a reasonable modification in its services, programs, or activities. The following policies and procedures address some of the services that may be available for students.

The need for all academic accommodations provided by and overseen by the WCC Disability Services Office (DSO) must be clearly stated in the documentation provided by the student. All accommodations will include extended time, distraction reduced testing location and audio recording of classes. Additional accommodations need to be discussed with a DSO counselor.

Documentation may include, but is not limited to:

- Copies of Individual Educational Plans
- 504 plans
- Triennial Evaluations
- Letters from treating providers. These letters must be on official letterhead stationery, be signed by the treating doctor (cannot be electronically signed), have the current diagnosis with dates of treatment, and recommendations for appropriate accommodations.

Documentation should be submitted to the Disability Services Office (DSO) through the Accommodate platform located on the Westchester Community College website.

Under Section 504 of The Rehabilitation Act of 1973, the ADA of 1990 and the ADAAA of 2008, colleges are obligated to provide students with documented disabilities reasonable accommodations on an individual basis to ensure that no student is discriminated against based on a disability. A student requesting academic accommodations must self-identify and provide appropriate documentation of the disability. The documentation must outline the academic accommodations needed.

Accommodations are to provide students with disabilities an equitable opportunity but do not fundamentally alter the course or required learning outcomes. Accommodations do not lower academic standards or compromise the integrity of an academic program. Academic, conduct, and technical standards are always maintained. Please note not all accommodations from high school transfer to college.

Documentation must be current and must be submitted by a qualified professional. The documentation must clearly identify a disability and its impact on the student's current level of functioning in a college setting.

All students are held to the same code of conduct regardless of disability status.

Initial Steps

1. New students can initiate the accommodations process through Accommodate, a web-based recordkeeping and communication platform. Accommodate provides students and teaching faculty with a more accessible and efficient tool to assist students with their ADA mandated accommodations.
2. Through Accommodate, students fill out the **Student Intake form**, to self-identify as an individual with a disability to the DSO by uploading disability documentation identifying the nature of your disability and recommended academic accommodations. This form **ONLY** needs to be filled out **ONE** time.
3. If there are any questions regarding accommodations, please feel free to reach out to the Disability Services Office (disability.services@sunywcc.edu) to schedule a meeting with a counselor.
4. Through Accommodate, students fill out the **Semester Request form**, to sign up for accommodations with the DSO at the **beginning of each semester**. Note, accommodations do not automatically carry over from one semester to the next and are **NOT RETROACTIVE**. Accommodations become effective on the date your professor is notified.

III DSO Proctoring Procedures

STUDENT RESPONSIBILITIES:

1. Through Accommodate, fill out the **Test Room Booking form**, for every quiz/exam you would like to take with the DSO. Exams cannot start earlier than 9:00 am and must conclude by 4:00 pm. During summer months and holidays, please consult with the DSO prior to completing a test room booking. All testing appointments are to be made at least **72 business hours** in advance. As always, we recommend that you request to test with the DSO only if your professor cannot proctor the exam for you. You **DO NOT** need to schedule a testing appointment if you are testing in class.
2. Follow up with your professor to be sure your request was received in their SUNY WCC e-mail inbox. Be sure to speak/communicate with your professor, at an appropriate time, to discuss your accommodations. It is **NOT** necessary to disclose the nature of your disability.
3. Report to the DSO, Lib G-51, at your scheduled testing time. If you are late for an exam, the time will be deducted from the total testing time unless otherwise indicated in writing by the professor.
4. Some accommodations may require additional time for coordination, such as Kurzweil (screen reader), scribe or ASL interpreter. Since these requests require time to implement, please do this at the beginning of the semester.

TEACHING FACULTY RESPONSIBILITIES:

1. Include a statement on the course syllabus and make a general announcement to the class regarding DSO services. A sample syllabus statement is posted on the DSO Faculty webpage.
2. Periodically sign into **Accommodate** to review and electronically sign off on student's Accommodation Letters. You can find instructions on WCC's DSO website, under the faculty tab. Signing a student's Accommodation Letter lets both the student and the Disability Services Office (DSO) know that you have been made aware of their accommodations.
3. To maintain confidentiality, professors may not discuss accommodations in front of other students or staff. Please invite the student with a disability the opportunity to privately discuss accommodations. Additionally, please **DO NOT ASK** the student what the nature of their disability is or for their disability documentation as this is a violation of the student's confidentiality. Rather, ask the student how you can best assist them.
4. Periodically sign into **Accommodate** to approve **Test Room Bookings** and submit exams through Accommodate. You can find instructions in the **Resource Document Library** in Accommodate.
5. Inform the DSO of any changes to exams you have submitted at disability.services@sunywcc.edu.
6. If your student is provided Kurzweil 3000 (screen reader software or other assistive technology), please remove any blocks from using outside websites.

DSO RESPONSIBILITIES:

1. Approve **Testing Room Booking Requests** through Accommodate.
2. Follow up with the faculty to ensure that exams were submitted through Accommodate at least two business days prior to the exam.
- If an exam is not received the day before it is scheduled, contact the faculty member by e-mail and phone to verify exam delivery.

3. Download and print the exam from Accommodate and place in test envelope including a blue book or scantron as requested.
4. Ensure students receive appropriate accommodations as determined by the student's documentation.
5. Students will follow the professor's instructions regarding the return of the exam.

IV Faculty Proctoring Procedures for Online Tests/Quizzes

The extended time accommodation will be provided by the professors. The DSO will **ONLY** proctor exams if the student requires a scribe, there is a scheduling conflict, or the professor is unable to provide this accommodation. **Please note-** All DSO proctored exams must meet the same exam standards as the rest of the class (for example: if the class is taking the exam un-proctored during a specific time frame, the DSO student should also take the exam un-proctored with the allotted extended time in Brightspace or the platform that the test is being administered on –therefore, the DSO will **NOT** be proctoring this type of un-proctored exam).

V LECTURE AUDIO RECORDING/NOTETAKING

Westchester Community College acknowledges that some students struggle with taking notes for class. Students registered with the Disability Services Office are entitled to **audio record** lectures as their disability may include physical limitations and/or issues related to maintaining attention, focus, and concentration. The DSO encourages students to participate in note taking workshops offered by the Academic Support Center to improve notetaking skills. However, for students who continue to have difficulty, the following may also be provided:

Students are permitted to audio record class lectures allowing them to replay the lecture to review and fill in missed gaps in their own class notes. If the audio recording of class lectures does not prove to be successful, the student may request a copy of class notes from the professor. In the case where the professor is unable to provide a copy of class notes, the student may ask the professor to identify a student in the class who is willing to share a copy of their class notes.

Upon signing up for accommodations, students must sign an audio recording agreement which states that the audio recording will be used for personal use and not shared or posted online.

Student Responsibilities:

- 1) Register for academic accommodations at the beginning of each semester through Accommodate. Students must read the Audio Recording Agreement and sign off that the **audio recording** will be used only for personal use and will not be shared or posted online.
- 2) Students must inform the professor that an audio recording of class lectures is taking place.
- 3) Students may not audio record personal information or conversations of classmates or any other individual. If during class discussions, the lecture becomes personal in nature due to self-disclosure of fellow classmates, the audio recording device must be turned off. A request to turn off the audio-recording device may also be made by the professor. In this case, the professor should indicate when to stop and start recording.

Faculty Responsibilities:

- 1) Check for email notification from Symplicity/Accommodate regarding students with approved accommodations. If during class discussions, the lecture becomes personal in nature due to self-disclosure of a fellow classmate, and the audio recording device must be turned off. Please make a general announcement to those students entitled to recording to temporarily stop recording. When the lecture resumes, inform students that audio recording may resume. If you do not wish to make a general announcement, this may also be done through the private chat feature in Zoom if class is taught synchronously. Please make sure you let DSO students know how you will inform them to stop and start recording.

DSO Responsibilities:

- 1) Inform the professor of the approved testing/classroom accommodations through Symplicity/Accommodate.

Procedures:

- 1) The student registers for accommodations through Accommodate and agrees to the terms of the Audio Recording Agreement.

- 2) Recordings of class lectures are only for the student's personal use in study and preparation related to the class.
- 3) The student may not share these recordings with any other person, database, or resource.
- 4) The student may not publish or quote the lecture without the written consent of the lecturer.
- 5) The student agrees to destroy all recordings that were made when they are no longer needed for the class for which they were recorded.
- 6) Students may not audio record personal information or conversations of classmates or any other individual. If during class discussions, the lecture becomes personal in nature due to self- disclosure of fellow classmates, the audio recording device must be turned off.
- 7) The Disability Services Office notifies the professor via an accommodations letter sent from Symplicity/Accommodate of the approved classroom accommodations.
- 8) The student will inform the professor that he/she will be audio recording the lecture.
- 9) The student and professor will discuss how the professor will inform the student if he/she has to stop recording and when they can resume.

VI PERSONAL CARE ASSISTANTS (PCA)

A personal care assistant (PCA) is defined as a person who provides personal care/assistance (chronic or temporary) to students with a disability, or other health care issues with activities of daily living, including nursing services or assistance with normal life functions. **Therefore, PCAs must remain with students at all times.** These limitations in life functions may include but are not limited to:

- a. activities of daily living
- b. transferring to and from a wheelchair
- c. feeding
- d. transporting/escorting a student on campus
- e. medical assistance
- f. alerting to dangerous situations

Documentation must state the necessity of having a PCA and meet the above criteria. Title II of the ADA states that personal services are not required to be provided by post-secondary schools. Personal attendants and individually prescribed devices are the responsibility of the student who has the disability and not the institution (ADA of 1990, Pub. L. No 101-336, 2, 104 Stat.328, 2000). WCC does not provide PCA services and is not responsible for or liable for any consequences resulting from a student's association with a PCA. The college does not assume financial responsibility or coordination of services. However, PCA approval must go through the DSO.

All PCAs must:

- Meet with a member(s) of the DSO staff.
- Provide legal photo ID.
- Obtain a WCC photo identification card and holder marked with "Personal Care Assistant" from the Security Department, which must be always displayed when the PCA is on campus.
- PCAs must be qualified for the position and provide documentation of qualifications to the DSO staff. Documentation required by the DSO may include, but is not limited to:
 - proof of employment by an agency providing personal care
 - copies of certificates and trainings to be a PCA
 - documentation from a medical provider stating that a PCA is qualified.

Arrangements for PCAs must be made prior to the start of the semester to allow time for all procedures to be followed.

A PCA must abide by all campus policies and procedures. PCA failure to adhere to campus policies may result in a PCA being issued a *persona non grata* letter and thus be banned from campus and/or the PCA will no longer be permitted to work with the student and the student will need to seek another PCA. The PCA is seen as an extension of the student and as such a student may be charged with a violation of the Student Code of Conduct (V, 21) if their PCA violates campus policies/procedures.

Student Responsibilities

A student needing a PCA must seek appropriate personal care independently. PCAs must be hired by the start of the semester to allow time for all procedures to be followed.

Furthermore, the student is responsible to:

1. Notify DSO about his/her need to have a PCA in the classroom.
2. Hire an appropriate PCA that is qualified to perform the services and submit documentation as to the qualifications of the PCA to the DSO.
3. Ensure that the PCA is fulfilling the responsibilities for the student's care.
4. Although the PCA must be approved by DSO staff, all coordination for the PCA must be made between the student and the PCA.
5. Ensure that each PCA registers with the WCC Security Department once the PCA Agreement form is completed and submitted to the DSO.
6. Ensure that all PCA ID cards are immediately returned to the WCC Security Department in the event a PCA's employment with the student is terminated.
7. Direct the activities of the PCA while at WCC.
8. Have a backup plan or alternative plan of action should the regular PCA not be available to work with the student on a particular day or in a particular class and notify the DSO.

Personal Care Attendant (PCA) Responsibilities:

1. Meet with a member(s) of the DSO staff to discuss the following:
PCAs must be qualified for the position and provide documentation of qualifications to the DSO staff. Documentation required by the DSO may include but is not limited to:
 - a. legal photo ID
 - b. proof of employment by an agency providing personal care
 - c. copies of certificates and trainings to be a PCA
 - d. documentation from a medical provider stating that a PCA is qualified.
2. Complete and sign the PCA Agreement each semester, submit it to the DSO and adhere to the requirements within.
3. Obtain a WCC photo identification card and holder marked with "Personal Care Assistant" from the WCC Security Department, which must be always displayed when the PCA is on campus.
4. Adhere to WCC's Student Code of Conduct as well as all other College policies, rules, regulations, and procedures.
5. Conduct him/herself in a courteous and professional manner while on campus.
6. Not discuss any confidential information about the student with faculty, staff, or students.
7. Allow the student to take responsibility for his/her own academic progress and/or behavior.
8. Refrain from contact with or asking questions of faculty, staff, or others on behalf of the student.
9. Refrain from intervening in conversations between the student and faculty, staff or other students.
10. Refrain from working on or completing any of the student's academic assignments.

DSO Responsibilities:

1. The DSO Counselor will email the Personal Care Assistant Verification Form to the student. Upon completion, the student will email the form to disability.services@sunywcc.edu.

2. The PCA will be referred to the WCC Security Department by DSO for issuance of a WCC photo identification card and holder marked "Personal Care Assistant." This WCC issued ID must always be displayed when the PCA is on campus.
3. The name of the approved PCA, along with information regarding any other special accommodations, will be sent to the professors by the DSO.
4. The student's faculty will be notified by the DSO via Accommodate with the name of the approved PCA, along with information regarding any other special accommodations. In addition, the DSO will send a direct communication to the professors by email.
5. If the PCA is no longer able to perform the functions, the above procedure will be repeated for the new PCA.
6. WCC is not responsible for transporting or providing students in/with wheelchairs or personal mobility aides.

VII SCRIBE SERVICES

Scribes serve as writers for students whose disabilities interfere with their ability to write or use standard adaptive computer technology. They provide assistance with the physical aspects of written expression and do not function as tutors or editors.

Student Responsibilities:

For in-class scribe services:

To receive in-class scribe services students need to:

1. Contact a DSO counselor and complete the Request and Agreement for Scribe Services form at least thirty (30) days before classes begin. All requests will be considered. Requests received later than thirty days prior to the start of classes may not be in place for the start of the semester.
2. Go to class regularly. Scribe services may be stopped if a student has repeated and/or unexcused absences. An unexcused absence means the student did not contact the DSO informing the office of their absence. Having transportation problems is an unexcused absence. In case of an emergency, efforts should be made to contact the DSO to cancel scribe services for that class. Scribes will wait ten (10) minutes for students to arrive at class. If a student is late more than twice, the DSO staff will request a meeting with the student and continuation of services will be discussed and a plan will be developed.
3. Contact the DSO if there are concerns about the Scribe services provided in class. The DSO will work with the student and the Scribe to assure that the scribing meets the student's needs.
4. Students must tell the Scribe exactly what to write down.

For testing scribe services:

1. Register for academic accommodations with the DSO at the beginning of each semester through Accommodate.
2. Request a scribe when making a testing appointment through Accommodate.
3. When working with the scribe you must tell the scribe exactly what to write/type.
4. Review draft and highlight any changes to be made.
5. Review final copy and sign Testing Scribe Agreement form.

Procedures:

1. DSO counselor meets with student and reviews documentation supporting the need for scribe services.
 - a. **For in-class scribe services**

The Request and Agreement form for Scribe Services will be discussed and signed.

 - a. The DSO will search for and hire qualified scribes.
 - b. The DSO counselor will meet with the scribes and discuss guidelines on how to scribe for a student. The scribe will be instructed to report any issues or concerns regarding their assigned duties (scribing in- class with the student with a disability) to the DSO.
 - c. The entire process will be conducted within 30 days of the student's request for an in-class scribe.
 - d. This accommodation will be included in the accommodation letter through Accommodate.
 - b. **For testing scribe services:**
 - a. The Testing Scribe Agreement Form and Checklist for Scribes will be reviewed and discussed.
 - b. After a student makes a testing appointment and requests a scribe through Accommodate, the DSO will ensure that a scribe and individual room is available at the requested testing time.
 - c. Upon completion of scribe services for individual tests/quizzes, the student will sign the Testing Scribe Agreement Form

VIII ACCESSIBLE DESKS/CHAIRS

Students in need of accessible desks/chairs must self-identify to the DSO and request a meeting with the DSO Counselor to discuss their needs.

Student Responsibilities:

1. Submit documentation to the DSO documenting the need for the service through Accommodate: the type of desk, chair, and height required to meet the students' needs.
2. Students must enroll in classes in a timely manner to ensure that the service is in place for the first day of class.
3. Requests should be made 30 days in advance of the start of the semester.
4. Students must notify the DSO Counselor of any issues in a timely manner.

DSO Responsibilities:

1. The DSO Counselor will email and complete a work order form detailing the specifications and location of the furniture required to Physical Plant.
2. The DSO Counselor will verify with Physical Plant that the work order was completed. Any issues will be addressed with building maintenance.

IX ALTERNATE FORMATS E-TEXT BOOKS

DSO works diligently to provide textbooks for students with a print disability who will benefit from "reading" textbooks in an alternate format.

Student Responsibilities:

1. Submit documentation supporting the need of alternate formatted textbooks through Accommodate.
2. Complete the Semester Request in Accommodate.
3. Find out whether the textbook is available in PDF format through the publisher or any other online learning resource.
4. If PDF is not available, through the publisher, provide the DSO (via Alternate Format Textbook Form) with the following textbook information:
 - a. Title
 - b. edition
 - c. author
 - d. ISBN
5. Provide the DSO with a receipt of purchase of the required textbook.
6. Review and sign "Agreement on the Use of Electronic or other alternatively Formatted Course Materials" form with DSO.

Disabilities Responsibilities:

1. The DSO Counselor verifies that student qualifies for requested service.
2. The DSO emails students the Alternate Format Textbook Form to complete.
3. The DSO verifies the information on the Alternate Textbook Form including textbook information and receipt of textbook purchase.
4. The DSO and student review and sign "Agreement on the Use of Electronic or other alternatively Formatted Course Materials" form.
5. The DSO requests the book from the publisher in an alternate format (PDF file).
6. Once the textbook is obtained from the publisher, the DSO will notify the student of the textbook availability.

X ASL/SIGN LANGUAGE INTERPRETER, COMMUNICATION AID OR ASSISTANT

The WCC DSO ensures that education is accessible to students with disabilities. Ensuring access to effective communication is an accommodation. Often, technology is used to provide communication access.

Technological or Interpreting Services available at WCC may include, but are not limited to:

- Kurzweil 3000
- Dragon Dictate
- Qualified sign language interpreters
- Real-time computer-aid transcription services
- Assistive listening devices and systems/FM systems
- Open and closed captioning, including real-time captioning.
- Alternate format of textbooks
- Brailed materials and displays.
- Screen reader software
- Magnification software
- Digital recorders
- Communication devices

If the above technology devices are not able to provide effective access to education, WCC will provide an individual to serve as a communication assistant. This individual may be a sign language interpreter or another individual who can serve as the voice of the student.

Student Responsibilities:

The student must:

1. Request an ASL interpreter, communication aid or assistant through Accommodate.
2. Provide documentation through Accommodate stating the need for the ASL interpreter and/or communication aid. A current audiological report is required for students that are deaf or hard of hearing.
3. Schedule an appointment with the DSO, prior to the start of the semester, to be trained on the above-mentioned communication devices or software.
4. Explore supplemental agencies, such as ACCES-VR and NYSCB, which can provide assistance with assistive technology evaluations, communication devices, and/or interpreters.
5. Register for classes in a timely manner to allow time for the DSO staff to arrange for the interpreters and/or devices. Requests must be made 30 days prior to the start of classes. Requests received later than 30 days prior to the start of classes may not be in place for the start of the semester.
6. Request an interpreter for each semester if the student requires one.
7. Request an interpreter at least two weeks in advance of each appointment/date/event the student requires one.
8. Complete a Request Agreement Form for ASL Interpreters and/or Communication Aid/Assistant form with the DSO Counselor.

9. Contact the ASL interpreter and/or communication assistant as well as the DSO in the event of an absence from class. In the event of an emergency, the DSO staff will reach out directly to the ASL interpreter and/or communication assistant.
- a. Four (4) or more consecutive and then repeated absences/cancellations or “no-shows”, without reason, will result in a meeting with the DSO Counselor.
- b. Class notes will not be taken in the absence of the student.

Procedures:

1. Submit documentation through Accommodate stating the need for an ASL interpreter, communication aid, and/or assistant.
2. Arrange for an appointment to meet with a DSO Counselor to discuss the need for an ASL interpreter, communication aid/assistant.
3. During the meeting, the Request Agreement form for ASL Interpreters, Communication Aid and/or Assistant Form will be signed.
4. Professor will be notified through Accommodate.
5. The ASL Interpreter/ Communication Assistant will be referred to the Security Department by DSO for issuance of a WCC photo identification card and holder marked ASL Interpreter or Communication Assistant, this WCC issued ID must be always displayed when the Interpreter/Communication Assistant is on campus.
6. If the ASL Interpreter/ Communication Assistant is no longer able to perform the functions, the above procedure will be repeated for the new ASL Interpreter/ Communication Assistant.

XI STUDENTS WITH SEIZURE DISORDER

WCC takes students health and safety seriously and strives to collaborate with students to develop a plan of action to address their needs. It is recommended that students meet with the Health Services Office and for the student to notify their professors **of their seizure disorder.** The DSO will defer to WCC's Health Office policy on response to seizure disorders.

XII STUDENTS WITH FOOD ALLERGIES

WCC takes the health and safety of students seriously and strives to collaborate with students to develop a plan of action to address a food allergy. Although we cannot guarantee a completely allergen/cross contamination free environment, communication with personnel, asking questions, and taking proactive steps will greatly reduce risk. It is ultimately the student's responsibility to follow their doctor's instructions and the protocol as prescribed when encountering an allergen.

Students' Responsibilities:

1. Disclose their food allergies with class professors and the Health Office of Westchester Community College.
2. Students must be able to administer their own allergy medication and must keep their allergy medication accessible in case of an allergic reaction.
3. Students participating in classes in the culinary program must meet with the DSO Counselor. Students can expect to encounter a variety of different food agents. It is ultimately the student's responsibility to follow their doctor's instructions.

Procedures:

1. Submit medical documentation via Accommodate outlining the type of allergy, method of exposure, medication required, and method of administering the medication.
2. The DSO Counselor will refer the student to the Health Office to meet with the nurse.
3. Students with food allergies participating in the culinary program must meet with the DSO Counselor, the Curriculum Chair of the Culinary Program, and the Health Services Nurse.
4. Students with food allergies participating in the Culinary Program must sign the Information Sheet for Students with Food Allergies Participating in the Culinary Program.

XII POSSIBLE EXTENDED TIME ON ASSIGNMENTS POLICY, SPECIFIC ACCOMMODATION

In certain situations, extended time on course assignments may be a reasonable accommodation because one's medical or clinical situation poses challenges to complete the assignment by deadlines with **short notice**. Those assignments with longer notice are a time management issue and not a disability related issue. Disability Services promotes good time and project management skills as well as effective decision-making. For the short notice assignment extension specifically, Disability Services recommends this accommodation when:

- An assignment was not listed on the syllabus initially and is given to students with one week or less to complete and/or
- The assignment deadline is listed on the syllabus, but students do not get the necessary information to complete it until there is one week or less to the deadline.

Accommodations are not retroactive. Missed assignments that occur prior to the instructor receiving the accommodation letter are not covered under the accommodation process. Disability Services recommends that those missed assignments be handled in accordance with the course assignment policy.

Student Responsibilities:

1. After the student completes the Semester Request through Accommodate to register for accommodations, the students should review the syllabus to make any necessary deadline date adjustments with the instructor. Assignments cannot be submitted whenever desired.
2. Discuss each outstanding assignment individually with the instructor.

Instructor Responsibilities:

Course instructors are asked to determine whether an assignment falls into one of two categories:

Category 1: An assignment was listed on the syllabus initially and the necessary information was given out with at least a week's notice (accommodation not applicable)

Category 2: The assignment was not listed on the syllabus initially and the deadline for completion is less than one week and/or the information necessary to complete the assignment was given less than one week prior to due date (accommodation applicable).

XIV SERVICE ANIMALS

A “service animal” means any dog that is individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, or psychiatric disability. The work or tasks performed by a service animal must be directly related to the person’s disability. Species other than dogs or, in some cases, miniature horses, are not considered service animals for the purpose of this definition of a service animal. For information directly from ADA click this link [Frequently Asked Questions about Service Animals and the ADA](#)

Students have a right to be accompanied by a service animal in all areas at WCC where students, members of the public, and other participants in services, programs or activities are permitted to go.

Individuals are not required to provide proof that the animal has been certified, trained, or licensed as a service animal. If the reason for the use of the animal is not readily apparent the individual will only be asked to provide:

- Verification that has a disability; and
- Evidence of the dog’s training and function, (i.e., what work or tasks the animal has been trained to perform).

Any question or concern that the individual is not entitled to have the animal on campus should be directed to the DSO and not the individual.

A “service animal” may be excluded if:

- The evidence reflects that the animal is not in fact a “service animal” trained to assist the individual.
- The animal is disruptive or out of control and the handler does not take steps to control it (the individual is solely responsible for the care or supervision of the animal).
- The animal is not housebroken; and
- The animal poses a “direct threat” (actual behavior or history).

Student Responsibilities:

1. Submit documentation of a disability through Accommodate and provide information of the dog’s function, (i.e., what work or tasks the animal has been trained to perform).
2. Provide evidence that the animal has had recent vaccinations.
 - a. Ensure that the animal is properly groomed,
 - b. must attend to the animals toileting needs, and
 - c. must be kept under control by a harness, leash, or other tether.
3. Students with service animals are requested to advise the DSO of the use of the service animals so that faculty can be advised that the service animal will be present in the class.

DSO Responsibilities:

1. The DSO will conduct an individualized assessment to determine whether the presence of the animal on campus is appropriate, review the student’s responsibilities, and have a counselor meet with the student regarding the need for services.
2. DSO will collect proof that the animal has current vaccinations.

XV COURSES SUBSTITUTION POLICY

Another accommodation addressed in Section 504 regulations is course substitution for completion of degree requirements. Section 504 does not require institutions of higher education to waive academic requirements deemed essential to the student's program of instruction or to any directly related licensing requirement.

A complete waiver of an academic requirement is not granted by Westchester Community College. Students who request a course substitution will be required to submit appropriate documentation along with a written request. There must be clear and specific evidence and identification of the disability, which justifies the request. Any student who applies for and is granted a substitution in a particular competency area must complete the minimum general education requirements or his/her degree program.

Student Responsibilities:

1. Provide the DSO documentation that supports the request for a course substitution through Accommodate.
2. Meet with Curriculum/Associate Dean to request and discuss a course substitution.
3. Requests that the DSO verifies disability to Curriculum Chair/Associate Dean

DSO Responsibility:

1. Upon written request from the department, the DSO will confirm disability with Curriculum Chair/Associate Dean

XVI OUTSIDE AGENCY SPONSORED TUTORING

All students enrolled in classes at Westchester Community College are afforded tutoring services at no cost through the Academic Support Center. However, some students with disabilities are sponsored for individual tutoring funded through outside agencies such as ACCES-VR or NYSCB.

If a student has been notified of tutoring sponsorship through the above agencies, the following responsibilities and procedures apply. However, policy and procedures may change if the tutoring process with ACCES-VR and NYSCB changes or if authorizations are discontinued.

Student Responsibilities

(ACCES-VR students):

1. The student must discuss with their ACCES-VR counselor tutoring sponsorship.
2. If the agency counselor agrees to consider tutoring and needs support from the WCC DSO counselor for the tutoring request, the student must make an appointment with a DSO counselor and be currently registered to receive academic accommodations for that semester.
3. Prior to the appointment with the WCC DSO counselor, the student must provide, *via email*:
 - evidence that WCC's current tutoring services are not sufficient to meet their needs.
 - proof that the student has tried to access WCC's current tutorials.
 - an explanation of why WCC tutorials are not sufficient.
 - an electronic copy of the syllabus for the course(s) tutoring is requested.
4. During the appointment with the WCC DSO counselor, the student will discuss the evidence that was provided via email, subjects for which tutoring is requested and number of hours of tutoring per week the student expects to need for each subject (not to exceed 7hrs/wk. in total).
5. If approved, the student will then work with ACCES-VR for referrals to tutors.

(NYSCB students):

1. Discuss tutoring sponsorship with NYSCB counselor, subjects, and number of tutoring hours per week requested.
2. If approved for tutoring, work with the NYSCB counselor for referrals to tutors.

WCC DSO Responsibilities

1. Upon request, the counselor will meet with the student to discuss and review evidence provided by the student.
2. If appropriate, the counselor will email ACCES-VR or NYSCB regarding support for the student's tutoring request.

Procedure:

1. Student discusses ACCES-VR or NYSCB tutoring sponsorship with agency counselor. All coordination of tutoring sponsored by outside agencies (ACCES-VR and NYSCB) will be done directly through those agencies.
2. Upon student request for an appointment, WCC's DSO counselor will meet with the student to review evidence, previously provided by the student via email (as stated above in #3 of student responsibilities), of need for tutoring and discuss WCC's support of outside agency tutoring requests.
3. The DSO counselor will send an Outside Agency Tutoring Referral Form along with the course syllabus to ACCES-VR if the DSO counselor deems the request is appropriate.

XVIISECTION 504 AND ADA COMPLAINT PROCEDURE

In accordance with Federal regulations, the New York State Human Rights Law and Section 504 Rehabilitation Act of 1973, Westchester Community College does not discriminate on the basis of disability or handicap in educational programs, activities and employment. Section 504 and ADA state, in part, that “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”

Westchester Community College has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by federal regulations implementing section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 (ADA).

A student who wishes to file a grievance about a faculty member, a staff member, or another student regarding alleged discrimination based on disability, he or she must register a complaint with the ADA Coordinator in writing. This formal grievance must be filed within thirty (30) working days following the alleged discriminatory act, or when the complainant first become aware of the alleged act. All such grievances should be submitted to:

Dr. Rinardo Reddick
Chief Diversity Officer and Title IX Coordinator
rinaldo.reddick@sunywcc.edu

- A grievance should be filed in writing, with the name and address of the person filing it.
- A brief description of the alleged violation of the regulations.
- A grievance should be filed within 30 days after the complainant becomes aware of the alleged violation.
- An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation shall be conducted by the ADA Coordinator. These rules contemplate through investigations affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
- A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the ADA Coordinator and a copy forwarded to the complainant no later than 60 working days after its filing.
- The ADA coordinator shall maintain files relating to the complaints filed.
- The right of a person to a prompt and equitable resolution of the complaint filed here under shall not be impaired by the person’s pursuit of other remedies such as filing of a section 504/ADA complaint with the responsible federal department or agency. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that Westchester Community College complies with section 504/ADA and implementing regulations.

Section 504, Rehabilitation Act of 1973

(29 U.S.C. § 701)

Section 794. Nondiscrimination under Federal grants and programs; promulgation of rules and regulations

(a) Promulgation of rules and regulations

No otherwise qualified individual with a disability in the United States, as defined in section 705 (20) of this title, shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity

receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service. The head of each such agency shall promulgate such regulations as may be necessary to carry out the amendments to this section made by the Rehabilitation, Comprehensive Services, and Development Disabilities Act of 1978. Copies of any proposed regulations shall be submitted to appropriate authorizing committees of the Congress, and such regulation may take effect no earlier than the thirtieth day after the date of which such regulation is so submitted to such committees.

(b) “Program or activity” defined

For the purposes of this section, the term “program or activity” means all of the operations of —

(1)(A) a department, agency, special purpose district, or other instrumentality of a State or of a local government; or (B) the entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government;

(2)(A) a college, university, or other postsecondary institution, or a public system of higher education; or (B) a local educational agency (as defined in section 8801 of Title 20), system of vocational education, or other school system;

(3)(A) an entire corporation, partnership, or other private organization, or an entire sole proprietorship —

(i) if assistance is extended to such corporation, partnership, private organization, or sole proprietorship as a whole; or

(ii) which is principally engaged in the business of providing education, health care, housing, social services, or parks and recreation; or

(B) the entire plant or other comparable, geographically separate facility to which Federal financial assistance is extended, in the case of any other corporation, partnership, private organization, or sole proprietorship; or

(4) any other entity which is established by two or more of the entities described in paragraph (1), (2) or (3); any part of which is extended Federal financial assistance.

(c) Significant structural alterations by small providers

Small providers are not required by subsection (a) to make significant structural alterations to their existing facilities for the purpose of assuring program accessibility, if alternative means of providing the services is available. The terms used in this subsection shall be construed with reference to the regulations existing on March 22, 1988.

(d) Standards used in determining violation of section

The standards used to determine whether this section has been violated in a complaint alleging employment discrimination under this section shall be the standards applied under title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.) and the provisions of sections 501 through 504, and 510, of the Americans with Disabilities Act of 1990 (42 U.S.C. 12201-12204 and 12210), as such sections related to employment.

Section 794a. Remedies and attorney fees

(a)(1) The remedies, procedures, and rights set forth in section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16), including the application of sections 706(f) through 706(k) [42 U.S.C. 2000e-5(f) through k)] shall be available, with respect to any complaint under section 791 of this title, to any employee or applicant for employment aggrieved by the final disposition of such complaint, or by the failure to take final action on such complaint. In fashioning an equitable or affirmative action remedy under such section, a court may take into account the reasonableness of the cost of any necessary work place accommodation, and the availability of

alternative therefor or other appropriate relief in order to achieve an equitable and appropriate remedy.

(2) The remedies, procedures, and rights set forth in title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) shall be available to any person aggrieved by any act or failure to act by any recipient of Federal assistance or Federal provider of such assistance under section 794 of this title.

(b) In any action or proceeding to enforce or charge a violation of a provision of this subchapter, the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee as part of the costs.

(United States Department of Labor Website, 2014)

XVIII DISABILITY SERVICES OFFICE CONTACTS

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Professor Renee Balotti, Counselor/Coordinator of Accommodations, (914) 606-8585,
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Laura Sinkó, Counselor for Students with Disabilities, (914) 606-6626,
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Professor Theresa Revans-McMenimon, Adjunct Counselor for Students with Autism, (914) 606-6336, Theresa.Revans-McMenimon@sunywcc.edu

Professor Maisa Andraws, Adjunct Counselor for Visual and Physical Disabilities, (914) 606-6325, Maisa.Andraws@sunywcc.edu

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