

J.F. DRAKE STATE
COMMUNITY & TECHNICAL COLLEGE

COUNSELING SERVICES
POLICY AND PROCEDURES MANUAL



Office of Counseling
Room 706

J.F. Drake State Community & Technical College

3421 Meridian Street

Huntsville, AL 35811

Phone: (256)551-1710

Fax: (256) 551-1714

Website:

http://www.drakestate.edu/student_services/students_with_special_needs.aspx

CONTENTS

Mission Statement	3
Equal Opportunity Statement	3
Definitions	3
Alabama College System Criteria	4
For Disabilities Documentation, Guidelines are as follows:	4
General Requirements	6
Student Responsibilities	7
Documentation	7
Denial of Accommodations	8
Support Services	9
Assessment & Placement Counseling	9
Confidentiality and Disclosure of Information	9
Grievance Procedures	10

Mission Statement

J.F. Drake State Community and Technical College, a student-centered two-year public institution, offers flexible and affordable university-transfer and technical degrees, certificates, adult and continuing education, and customized workforce training to fulfill the diverse needs of the community.- *Approved by the Alabama Community College System Board of Trustees - July 22, 2015*

Equal Opportunity Statement

The following policy statement reflects J. F. Drake State Community and Technical College's commitment to equal opportunity in education and in employment.

No person shall be denied employment, excluded from participation in, be denied the benefits of, or subject to discrimination in any program, activity or employment on the basis of race, color, disability, sex, religion, belief, national origin, or age.

J. F. Drake State Community and Technical College complies with non-discrimination regulations under Title IX of Education Amendments of 1972, which prohibits discrimination based on sex; Section 504 of the Rehabilitation Act of 1973, which prohibits violations of the rights of the disabled; Title IX, Section 106.8, which prohibits sexual harassment; Title VI, which prohibits discrimination based on race, color or national origin on the Americans with Disabilities Act of 1990.

Definitions

Note: The term "reasonable accommodations" may be more familiar than is "auxiliary aids and services." While the former applies to employment policy, the terms are often interchangeable.

(A) Section 202 of the 1990 Americans with Disabilities Act states: "No qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, or be denied the benefits of, the services, programs or activities of any public entity, or be subject to discrimination by any such entity.

(B) Section 504 of the Rehabilitation Act states: "No otherwise qualified, person with a disability in the United States shall, solely by reasons 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."

(C) "Auxiliary aids and services" in college programs and services, are modifications of those programs, policies, practices and procedures that enable qualified students with a disability to have an equal opportunity to benefit from, and have access to, college programs and services.

(D) A "qualified student with a disability" is one who, with or without auxiliary aids and services, meets the academic or technical standards required for admission to, participation in, and/or fulfilling the essential requirements of college programs or activities.

(E) A "student with a disability" is a student who (1) has a physical, mental or sensory impairment that substantially limits one or more of his/her major life activities; (2) has a history or record of such an impairment or; (3) is perceived to have such an impairment and has been subject to discrimination or harassment as a result of that perception.

Alabama College System Criteria

Institutions of The Alabama College System, as public institutions of higher education, may not discriminate against students with disabilities in the recruitment process, the admission process, and/or the provision of education/education-related services to students with disabilities. Students with documented disabilities are legally entitled to receive appropriate modifications, accommodations, and/or auxiliary aids that will enable them to participate in and have the opportunity to benefit from educational programs and/or activities offered by the institutions.

In order to qualify for protection under the law, a student must be qualified and disabled. A disabled student is defined as one who: (1) has a physical or mental impairment that substantially limits one or more major life activities; or (2) has a record of such impairment; or (3) is regarded or perceived by others as having such an impairment. A qualified disabled student is defined as one who meets the academic and technical standards requisite to admission or participation in the institution's programs and/or activities.

By law, institutions may NOT: (1) limit the number of students with disabilities admitted; (2) make pre-admission inquiries as to whether or not an applicant is disabled; (3) use admission tests or criteria that inadequately measure the academic level of disabled applicants who have vision or hearing impairments because special provisions were not made for them; (4) exclude a student from a course of study because of a disability; (5) counsel a student with a disability toward a more restrictive career; (6) measure student achievement using modes that adversely discriminate against a student with a disability; or (7) institute prohibitive rules that may adversely affect students with disabilities.

Qualified students with disabilities are entitled to reasonable accommodation for their disabilities in both educational programs and activities offered by System institutions. There is no universal accommodation for any particular disability, nor will anyone accommodation meet the needs of all disabled persons. Reasonable accommodation may include: (1) extending the time permitted for a student with a disability to earn a degree; (2) modifying teaching methods and examinations to meet the needs of students with disabilities; (3) making available learning aids and auxiliary equipment and support staff, such as tape recorders, taped materials, word processors, pocket spell-checkers, examination proctors, note-takers, and interpreters. Institutions are generally not required to provide personal services or devices, including eyeglasses, hearing aids, or assistive devices such as crutches and wheelchairs.

Institutions are not required to alter fundamentally their programs or services to allow a disabled person to participate. Institutions need not forsake their standards or integral rules to allow a disabled person to participate. It is recommended that each System institution designate one or more individuals whose primary responsibilities include coordination of the delivery of services to students with disabilities and coordination of the training of faculty and staff in the provision of accommodations to disabled students.

Disabilities Documentation, Guidelines are as follows:

Health Condition, Mobility, Hearing, Speech, or Visual Impairment

A letter or report from treating physician, orthopedic specialist, audiologist, speech pathologist, or ophthalmologist (as appropriate), including:

- ✓ Clearly stated diagnosis
- ✓ Defined levels of functioning and any limitations
- ✓ Current treatment and medication
- ✓ Current letter/report (within 1 year), dated and signed
- ✓ Specific recommendations for accommodations within the context of the college environment.

Psychological Disorder

A letter or report from a mental health professional (psychologist, neuropsychologist, licensed professional counselor), including:

- ✓ Clearly stated diagnosis (DSM-IV criteria)
- ✓ Defined levels of functioning and any limitations
- ✓ Supporting documentation (i.e. test data, history, observation, etc.)
- ✓ Current treatment and medication
- ✓ Current letter/report (within 1 year), dated and signed
- ✓ Specific recommendations for accommodations within the context of the college environment

Traumatic Brain Injury (TBI)

A comprehensive evaluation report by a rehabilitation counselor, speech-language pathologist, orthopedic specialist, and/or neuropsychologist (or other specialist as appropriate), including:

- ✓ Assessment of cognitive abilities, including processing speed and memory
- ✓ Analysis of educational achievement skills and limitations (reading comprehension, written language, spelling, and mathematical abilities)
- ✓ Defined levels of functioning and limitations in all affected areas (communication, vision, hearing, mobility, psychological, seizures, etc.)
- ✓ Current treatment and medication
- ✓ Current letter/report (post-rehabilitation and within 1 year), dated and signed
- ✓ Specific recommendations for accommodations within the context of the college environment.

Learning Disabilities (LD)

A comprehensive evaluation report from a clinical psychologist, psychiatrist, neuropsychologist, school psychologist, learning disability specialist, or diagnostician, including:

- ✓ Clear statement of presenting problem; diagnostic interview
- ✓ Educational history documenting the impact of the learning disability
- ✓ Alternative explanations and diagnoses are ruled out
- ✓ Relevant test data with standard scores are provided to support conclusions, including at least: (a) WAIS-R; (b) Woodcock-Johnson Psycho educational battery-Revised, including Written Language; (c) Woodcock-Johnson Cognitive processing Battery to substantiate any processing problems
- ✓ Clearly stated diagnosis of a learning disability based upon DSM-IV criteria
- ✓ Defined levels of functioning and any limitations, supported by evaluation data
- ✓ Current report (within 3 years of enrollment date), dated and signed
- ✓ Specific recommendations for accommodations within the context of the college environment.

Note: High School IEP, 504 Plan, and/or a letter from a physician or other professional will not be sufficient to document a learning disability.

Attention Deficit Disorder (ADD) or Attention Deficit Hyperactivity Disorder (ADHD)

A comprehensive evaluation report from a physician, psychiatrist, clinical psychologist, neurologist, or neuropsychologist, including:

- ✓ Clear statement of presenting problem; diagnostic interview
- ✓ Evidence of early and current impairment in at least two different environments (comprehensive history)
- ✓ Alternative explanations and diagnoses are ruled out
- ✓ Relevant test data with standard scores are provided to support conclusions, including at least: (a) WAIS-R; (b) Woodcock-Johnson Psycho educational battery-Revised, including Written Language; (c) Behavioral Assessment instruments for ADD/ADHD normed on adults
- ✓ Clearly stated diagnosis of ADD or ADHD based upon DSM-IV criteria
- ✓ Defined levels of functioning and any limitations, supported by evaluation data
- ✓ Current report (within 3 years of enrollment date), dated and signed
- ✓ Specific recommendations for accommodations within the context of the college environment.

Note: High School IEP, 504 Plan, and/or a letter from a physician or other professional will not be sufficient to document ADD or ADHD. Medication cannot be used to imply a diagnosis.

General Requirements

To register for Disability Support Services with the Office of Counseling Services (OCS), students are required to provide diagnostic documentation from a licensed clinical professional familiar with the history and functional implications of their respective disabilities. It is not acceptable for such documentation to include a diagnosis or testing performed by a member of the student's family. It is the student's responsibility to provide appropriate documentation of disability to OCS and request a letter of accommodation.

Disability documentation must adequately verify the nature and extent of the disability in accordance with current professional standards and techniques, and must clearly substantiate the need for all of the student's specific accommodation requests. All documentation must be submitted on official letterhead from the professional diagnosing the disability. The report should be in narrative form, typed, dated and signed and include the name, title, and professional credentials of the evaluator to include information about licensure and certification.

If the original documentation is incomplete or inadequate in determining the extent of the disability or reasonable accommodation, the college may require additional documentation. Any cost incurred in obtaining additional documentation when original records are inadequate is the responsibility of the student. In the event the college desires a professional second opinion, J.F. Drake State Community & Technical College will incur the costs. Students requesting accommodations for multiple disabilities must provide documentation of each condition.

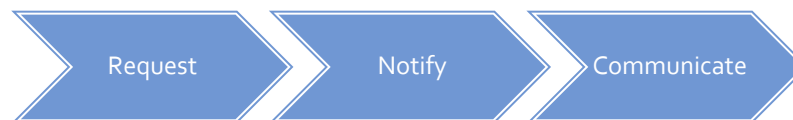
Please note: a High School IEP or a 504 plan is insufficient in documenting a disability. A history of accommodations does not warrant the provision of similar accommodations at J.F. Drake State Technical College. The final determination of eligibility for services rests with the institution. The Counselor shall make appropriate determination of accommodations for students based on the documentation provided. Authority to make such decisions on the college's behalf has been assigned by the chancellor.

****J.F. Drake State Community & Technical College does not perform disability evaluations that determine or diagnose disabilities, nor does J.F. Drake State Community & Technical College pay for such testing. Testing is the responsibility of the student. ****

Student Responsibilities

You are responsible for:

1. Requesting accommodations from the Counselor at the beginning of each semester within the first week of classes.
2. Notifying the Counselor if you have any problems receiving accommodations.
3. Staying in communication with faculty/staff and counselor regarding your accommodations.



Accommodation Process

Providing reasonable and appropriate accommodations in the classroom is a collaborative process between the student, faculty, and OCS. Accommodations are provided to adjust for the limitations presented by a student's disability, while maintaining the academic integrity of our programs of study. Accommodations do not involve any lowering of standards of performance. Counseling Services determines reasonable academic accommodations for students based on appropriate documentation and the academic requirements of the individual program. OCS also considers current academic needs of students and accommodations that have been used in previous educational settings. Accommodations are provided on a semester-by-semester basis, for students who have provided appropriate documentation to OCS. OCS prepares a letter listing the accommodations it recommends for the student. The counselor then delivers these accommodations letters to the student's instructors.

Instructors are not obligated to provide any accommodations until they receive OCS accommodation letters from the student. If an instructor disagrees with any accommodation that has been recommended by OCS for a student in his/her class, the instructor needs to contact OCS promptly to discuss the matter, so that it can be determined if an alternate accommodation is necessary. Until the matter is agreed upon by OCS and the instructor, the instructor is to provide the accommodations recommended by OCS. The student is responsible for reporting to OCS any concerns about implementation of accommodations. Instructors are not obligated to provide any accommodation that would substantially alter the nature of the course.

Documentation

Students seeking accommodations and services on the basis of disability are required to submit documentation of their disability to the counselor. This documentation serves the purposes of: identify persons as disabled and establish that without the auxiliary aid or service, the student would not have equal access and thus be subject to discrimination. J. F. Drake State Community & Technical College reserves the right to require additional information and the counselor determines the acceptability of documentation. Once documentation is

accepted, it is valid as long as the student is enrolled at the college. However, if there is a break in enrollment, the student may need to present updated documentation to receive services.

All documentation is treated as confidential and held solely by the counselor. Generally, no documentation information is released to anyone outside of the counselor's office without student's informed consent.

Upon receipt of the student's documentation, the Counselor's Office will complete a careful review to determine the following: a.) that the source of the documentation is appropriate, b.) that the documentation is complete, c.) that the information in the documentation is current, d.) that the student is a qualified person with a disability, and e.) that the documentation supports the requested accommodations. The J.F. Drake State Community & Technical College's Counselor's Office does not interpret diagnostic information submitted for documentation purposes.

Denial of Accommodations

The college reserves the right to deny services or accommodations in the event that documentation does not comply with its published guidelines for service eligibility or documentation is out-of-date or incomplete.

If the documentation provided by the student does not support the existence of a disability or the need for an accommodation, the student will be so advised. Students will be given the opportunity to supplement the initial documentation with further information from a physician, psychologist, or other specialist.

The college is not required to provide an accommodation that compromises the essential requirements of a course or program, imposes an undue financial burden based on the college's overall institutional budget or that poses a direct threat to the health or safety of the student or others.

Services

Proctoring Services

Proctoring services determined on an individualized basis may include but are not limited to:

1. extended time to complete examinations and quizzes
2. a testing location free from distractions
3. special equipment or assistance such as a word processor, readers or scribes
4. alternative formats such as oral or taped tests

Reading Services

Students requiring textbooks on tape are strongly encouraged to apply to **Recordings for the Blind and Dyslexic (RFB&D)**. For other alternatives, see the Adaptive Technology section below.

Note-Taking Services

Note takers are students who volunteer to have their class notes for a course photo-copied. The copied notes are then available for the student in a designated folder.

Classroom Adjustments

Adjustments may be made in a classroom to accommodate students with physical impairments. These adjustments may include, but are not limited to:

1. tables and chairs
-

2. special chairs in the classroom
3. sign language interpreter
4. lab assistant

Adaptive Technology

The college provides computer software, hardware, and other assistive devices to qualified students. This technology is updated frequently.

Support Services

Office of Counseling Services (OCS)/College Counselor

OCS is the contact office for students with disabilities at J.F. Drake State Community & Technical College. Services for students focus on providing accommodations and services that will assist students in learning, self-advocacy, and responsibility. Students who chose not to self-identify upon entrance do not forfeit rights to accommodations at a later date. However, J.F. Drake State Community & Technical College is not obligated to provide accommodations or services to students not registered with Counseling Services.

TRIO Student Support Services

Student Support Services, located in Room 708, is a federally-funded program free of cost to its participants. Students who are U.S. citizens and enrolled at J.F. Drake State Community & Technical College with a documented disability are eligible to receive mentoring, academic and personal advising, financial advising, and tutorial services. Please refer to http://www.drakestate.edu/student_services/student_support_services.aspx or at (256) 551-1703.

Assessment & Placement Counseling

Each institution in the Alabama Community College System must require all entering students who enroll in associate degree or certificate programs, and those who enroll for more than seven credit hours or fourteen weekly contact hours, be assessed using a comprehensive assessment instrument. If testing accommodations are needed, please contact the College Counselor and or Testing Coordinator prior to testing. Placement counseling is provided by the Testing Coordinator for individuals scoring below the college's minimum cut score. Additional counseling is provided by the College Counselor.

Confidentiality and Disclosure of Information

The J.F. Drake State Community & Technical College Counselor's Office is committed to ensuring that all information regarding a student, including information obtained in diagnostic and medical reports, is maintained as required by law and confidentiality requirements. Disability information collected for the benefit of any student does not become part of the student's academic record and is kept in secure files with access limited to the counselor. Information in files will be released verbally to Drake State faculty and staff on a limited basis and for the purpose of ensuring appropriate accommodations only with the student's written permission except in circumstances mandated by federal or state law. Information in Counseling Services student files is protected by the Family Educational Rights and Privacy Act (FERPA).

Note: The J.F. Drake State Community & Technical College Counseling Services will not release copies of student disability documentation to anyone, including the student. Students should obtain a copy of their

disability documentation from the original source and retain a copy for their personal records. However, Counseling Services will verify accommodations granted at J.F. Drake State Community & Technical College for students that request such information. A student has the right to review his/her own file with reasonable notification to the Counselor's Office. The counselor must be present when the student reviews the file. Documentation received from doctors and/or outside agencies is not available for review. Students must contact those individuals and/or agencies for information regarding those documents. Students are not allowed to photocopy the contents of the file. Student disability documentation is normally maintained for five years after the last recorded date of enrollment and then all the contents of the file are destroyed.

Grievance Procedures

All requests for auxiliary aids and services should first be brought to the College Counselor. If the student believes the response to the request or any other action subjects him or her to discrimination or harassment on the basis of disability, or if a faculty person shall refuse to provide an auxiliary aid or service, the student may request review of the decision as follows:

1. Individuals who have complaints regarding the College's compliance with particular provisions of the Americans with Disabilities Act may contact the College Counselor. Complaints will be promptly acknowledged and investigated with the purpose of equitable resolution.
2. If the student wishes to grieve a determination by the College authorities responsible for accommodations, the student should contact the College Counselor who will review the matter.

Student grievance with a faculty member, office, or program:

1. If a faculty member, an office or a program shall refuse to provide an auxiliary aid or service which has been approved by the College's designated authority, the student shall first request in print the assistance of the College Counselor in resolving the complaint. The request must ordinarily be made within ten (10) days of the refusal of the faculty member, office or program to provide the auxiliary aid and/or service(s) requested. In attempting to resolve the complaint, the Counselor shall consult with the faculty member(s) responsible for the course(s) in question and/or the division chair as well as other faculty officials as appropriate.
 2. In the event the Counselor cannot resolve the complaint within five (5) days of the request, it shall be the responsibility of the Counselor to immediately refer the matter to the Dean of Student Support Services and/or Dean of Instruction. All pertinent information will be forwarded to the Dean of Student Support Services and/or Dean of Instruction, and the student will receive notification.
 3. The Dean of Student Support Services and/or Dean of Instruction shall investigate the matter, affording all interested parties an opportunity to submit relevant evidence, statements and documentation.
 4. The Dean of Student Support Services and/or Dean of Instruction (Student Services) shall issue to the student a written determination specifying the resolution of the matter. Such written determination shall ordinarily be issued within thirty (30) days of the date of the request for review. Circumstances which may prolong the response of the Dean of Student Support Services and/or Dean of Instruction (Student Services) include the intervention of a semester break and such other circumstances that may render unavailable persons necessary to an appropriate resolution of the complaint.
-

5. The Dean of Student Support Services and/or Dean of Instruction (Student Services) shall maintain files and records relating to all such requests for review.

6. The right of the student to an equitable and timely resolution of a complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the responsible federal or state department agency.

Faculty/Staff appeal

If a faculty/staff member is in disagreement with an auxiliary aid or service concerning a student in his or her classroom, he or she may appeal the decision by following the procedure outlined below:

1. Seek a meeting with the College Counselor.
2. If the faculty/staff member cannot reach an acceptable agreement with the College Counselor within five (5) days, he or she may then appeal to the Dean of Instruction and Dean of Student Support Services.

During the grievance process, the auxiliary aid or service(s) in question will remain in effect until further notice.

Should the student disagree with the outcome of the Grievance Process at the college level, a formal complaint may be filed with the Office for Civil Rights:

Atlanta Office
Office for Civil Rights
U.S. Department of Education
61 Forsyth Street, SW
Suite 19T70
Atlanta, Georgia 30303-3104
