



Services to Students
with Disabilities

Faculty Guidelines

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ACCESSIBLE

Revised 2022

Table of Contents

Introduction	1
ADA Law in Higher Education	2
Overview of the Law	2
California Education Code.....	2
Section 504, Rehabilitation Act of 1973	2
Section 508, Rehabilitation Act of 1973, as amended.....	3
Americans with Disabilities Act of 1990 (ADA)	3
Americans with Disabilities Act Amendments Act of 2008 (ADAAA).....	4
Family Educational Rights and Privacy Act (FERPA).....	4
Executive Order 11111	4
What is Disability?	5
What is a Functional Limitation?.....	5
Determining Eligibility for Accommodations.....	6
Expectations (Misconceptions) about ADA in Higher Education	8
Communication Etiquette.....	9
Implementing Accommodations with Fidelity.....	10
Syllabus Statement.....	11
SSD’s Accommodation Information Management Platform (AIM)	11
Faculty Notification Letter	12
Accommodations/Support Services.....	13
Alternative/Accessible Furniture	14
Alternative Media/Print Materials.....	14
Cart Service.....	14
Class Aides	15
Deaf/Hard-of-Hearing Services	15
ASL Interpreters	15
Real-Time/Remote Captioning.....	17
SignGlasses	18
Sound Amplification Systems	18
Captioning of Instructional Materials	19
Exam Accommodations.....	19

Online Instructor Testing Agreement.....	19
Scheduling Exams.....	20
Extended Test Time on Canvas and in Class	21
Notetaking Services	23
Recording of Class Lectures.....	23
Service Animals.....	23
SmartPen.....	24
Temporary Accommodations	25
Unique Accommodations	25
Assignment Accommodations.....	25
Attendance Modification	25
Remote Instruction	27
Potential Areas of Risk	27
Confidentiality	28
Accessible Content	29
Examples of Documents and Accessibility	30
Universal Design for Learning (UDL)	30
Sources	32
Appendix	33
Faculty Notification Letter – Sample.....	34
Disability-Related Attendance Modification Form	36
Extension of Assignment Request Form	38
Remote Instruction Request Form	42

Introduction

California State University, San Bernardino's (CSUSB) Services to Students with Disabilities (SSD) department provides specialized academic support services for over 1,000 students annually through the provision of reasonable accommodations that recognize diverse needs and provide equal access to learning for students with disabilities. Every student with disabilities has the right to:

- Equal access to courses, programs, services, jobs, activities and facilities available through the University.
- Reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids determined on a case-by-case basis.
- Appropriate confidentiality of all information pertaining to his/her disability with the choice of whom to disclose their disability to except as required by law.
- Information reasonably available in accessible formats.

As faculty members of CSUSB, your contributions and commitment will continue to ensure equal access for students. SSD recognizes that faculty have a contributing role in student success and as such has created a Faculty Resource page on their website as well as these guidelines to provide direction in areas that affect faculty. Working collaboratively, we can continue to improve access so that CSUSB students with disabilities can achieve their academic and personal goals.



Alexander Cliff and Dr. Conrad Shayo engage at a WorkAbility IV networking event

ADA Law in Higher Education

Individuals with disabilities are a protected class of individuals by federal, state, and local legislation, which includes students in the post-secondary environment. SSD works collaboratively with instructors and students to ensure students receive their assigned disability-related accommodations that provide students an equal opportunity to access the academic environment. All students eligible for accommodations have presented the necessary documentation and have been verified by SSD staff through a comprehensive interactive process.

Overview of the Law

SSD abides by California statutes, national legislation, and California University executive orders that pertain to individuals with disabilities.

California Education Code

[California Legislative Information](#)

California law consists of 29 codes that cover various subject areas, which includes the Education Code. All California State Universities (CSU) are accountable to the regulations and statutes stated in the California Education Code that pertain to post-secondary institutions.

Section 504, Rehabilitation Act of 1973

[Section 504](#)

Section 504 of the Rehabilitation Act of 1973 is a law that prohibits discrimination on the basis of physical or mental disability. This law, however, applies only to programs conducted by federal agencies, those receiving federal funds, such as colleges participating in federal student loan programs, federal employment, and employment practices of businesses with federal contracts. It specifically states that, no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under any program or activity that either receives federal financial assistance or is conducted by any executive agency or the United States Postal Service.”¹

“Qualified” with respect to post-secondary educational services means “a person who meets the academic and technical standards required for admission or participation in the education program or activity, with or without reasonable modifications to rules, policies or practices; the removal of architectural, communication or transportation barriers; or the provision of auxiliary aids and services.”¹

Section 508, Rehabilitation Act of 1973, as amended

[Section 508](#)

Section 508 of the Rehabilitation Act of 1973, as amended, was originally an amendment passed in 1998, which specifies that federal agencies must make their electronic information (EIT) accessible to people with disabilities. According to the Section 508 website, “This law applies to all federal agencies when they develop, procure, maintain, or use electronic information technology. Under Section 508, agencies must give disabled employees and members of the public, access to information that is comparable to the access available to non-disabled people.”²

Americans with Disabilities Act of 1990 (ADA)

[ADA Website](#)

The Americans with Disabilities Act of 1990 (ADA) is the most comprehensive federal civil rights legislation protecting the rights of individuals with disabilities. The ADA addresses the barriers and discrimination that people with disabilities have traditionally faced. According to the ADA, “a person with a disability means any person who 1) has a physical or mental impairment which substantially limits one or more major life activities [including walking, seeing, hearing, speaking, breathing, learning, and working], 2) has a record of such an impairment, 3) is regarded as having such an impairment.”³ Disabilities covered by the legislation include, but are not limited to: AIDS, cancer, cerebral palsy, diabetes, epilepsy, head injuries, hearing impairments, specific learning disabilities, multiple sclerosis, muscular dystrophy, psychiatric disorders, speech impairments, spinal cord injuries, visual impairments, and loss of limbs.

[Americans with Disabilities Act Amendments Act of 2008 \(ADAAA\)](#) [EEOC ADAAA Website](#)

In 2008, the ADA of 1990 was amended and renamed the Americans with Disabilities Act Amendments Act of 2008 (ADAAA). The amendment was added to broaden the definition of a disability to provide wider coverage for individuals and establishes that extensive analysis of an individual's disability shall not be required for proving the disability.

"The Act makes important changes to the definition of the term 'disability' by rejecting the holdings [court decisions] in several Supreme Court decisions and portions of the U.S. Equal Employment Opportunity Commission ADA regulations. The effect of these changes is to make it easier for an individual seeking protection under the ADA to establish that he or she has a disability within the meaning of the ADA."⁴

[Family Educational Rights and Privacy Act \(FERPA\)](#)

[U.S. Dept. of Education \(FERPA\)](#)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of student's education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

[Executive Order 1111](#)

[EO 1111](#)

Executive Order 1111, issued on May 23, 2018, by former California State University (CSU) Chancellor Timothy P. White relates to disability support and accommodations across all CSUs. This order supersedes Executive Order 926 and contains critical information regarding the specifics on how CSU campuses must comply with ensuring physical access to programs, accessibility of information resources as well as technology access, disability support and accommodations for students, disability support and accommodations for students in employment, and disability support and accommodations for students in contracting.

What is Disability?

CSUSB adheres to the ADA definition of disability. Eligibility under the ADA⁵ requires the applicant to meet one of the following three criteria in the civil rights definition of disability:

- Have a physical or mental condition that substantially limits one or more major life activities;
- Have a record of such a physical or mental condition; and/or
- Be regarded as having such an impairment, whether actually having the impairment or not.

Students provide SSD current written documentation that verifies the existence of a temporary or permanent disability. Verification of the disability should include diagnosis, medication, a description of the functional limitations that may affect academic performance, a rating of severity, and a recommendation for accommodations. The documentation must contain the printed and signed name of a licensed physician, psychologist, social worker, or any authority qualified or certified to assess the disability.

What is a Functional Limitation?

A disability must limit functioning in the academic setting before a student can receive an accommodation. SSD refers to the effects of a disability on program access as a functional limitation. A disability, in and of itself, does not necessarily require accommodation. There must be a logical link between the functional limitation stemming from the disability and the accommodation requested. SSD disability counselors identify functional limitations through discussion with the student and a review of documentation.

Determining Eligibility for Accommodations

In order to qualify for ADA/504 accommodations, students must present SSD with three elements from a qualifying professional:

- Diagnosis;
- Functional limitation with objective evidence; and
- Need for accommodation(s).

Next, the student must formally request accommodations from SSD. SSD reviews the documentation and balances the student's functional limitation(s) of disability with the fundamental nature of the academic task through an interactive process.

Determining and arranging academic accommodations is a partnership between the student, the instructor, and SSD. The student requesting academic accommodations is an active participant in the interactive process to assess reasonable accommodations that provide an equitable opportunity to participate in, while not fundamentally altering, CSUSB courses, programs, services, and activities.

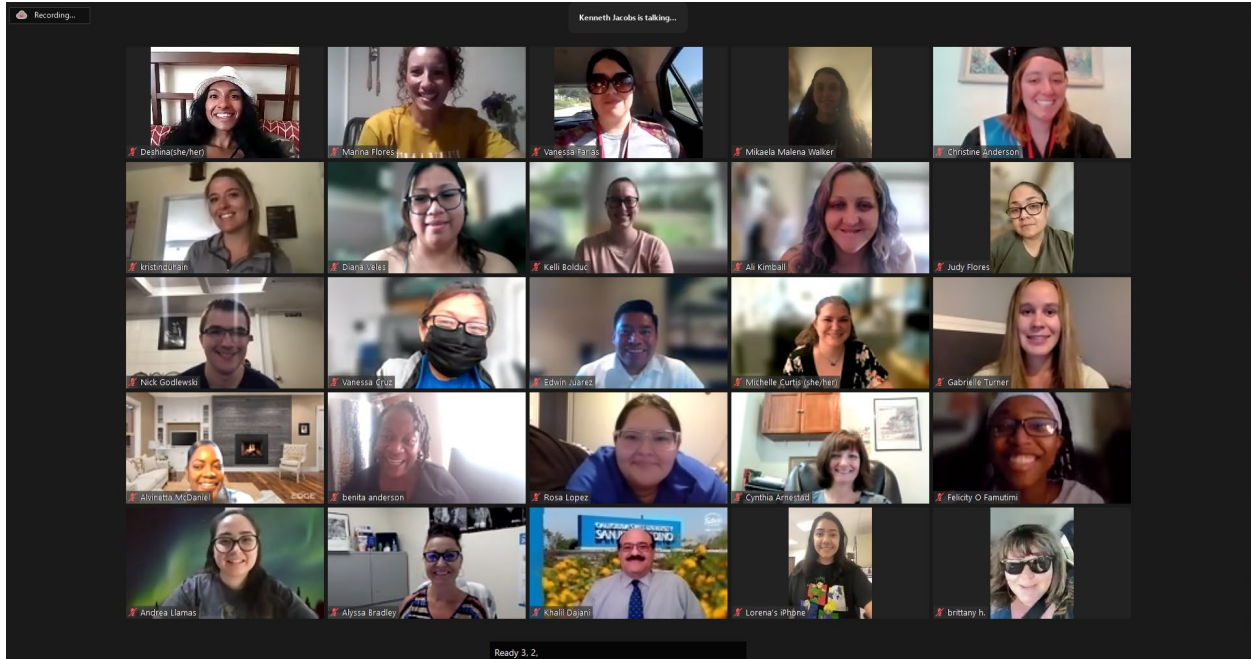
The student's role in the interactive process is to discuss the impacts of their disability, provide information/documentation, and share which disability accommodations have worked in the past.

The Disability Counselor's role in the interactive process is to work with the student and their instructors to identify barriers to accessing the course, program, service, or activity and recommend reasonable accommodations that mitigate the impact of the barriers but do not fundamentally alter the essential functions of the course, program, service, or activity.

The instructor's role in the interactive process is to share their knowledge of the essential elements of the course or program. It is also the instructor's role to contact the student's Disability Counselor if they believe that the recommended academic accommodations compromise the essential requirements of a course/program or fundamentally alter a course/program.

Reasonable accommodations are defined as: An action that may be taken by the University to accommodate an individual with a documented disability, without imposing an undue hardship on the University.⁵ Reasonable accommodations provide students an equitable opportunity to participate in, while not fundamentally altering CSUSB courses, programs, services, and activities.

Once accommodations have been granted, faculty will receive an electronic Faculty Notification Letter. Students are responsible for requesting their accommodations timely so the Faculty Notification Letter can be emailed to the professors at the beginning of the term. Once the instructor receives the Faculty Notification Letter, SSD policy mandates that accommodations begin. At this point, the responsibility for ADA accommodations shifts to the faculty to ensure that accommodations are implemented with fidelity. Students are responsible for articulating that the accommodation is not being met with fidelity by talking with their professor and/or SSD Disability Counselor.



Faculty celebrating with SSD at the Annual Graduation Celebration

Expectations (Misconceptions) about ADA in Higher Education

It is important to note that the K-12 public school setting and higher education differ significantly in how students are accommodated. K-12 students are protected by the Individual with Disabilities in Education Act (IDEA) and Section 504. Students in higher education are protected under the ADA, Section 504, and/or Fair Housing Act (FHA). The table below shows the differences between K-12 and higher education.

K-12	Higher Education
Support by the individualized Education Program (IEP) team, which includes parents & faculty.	Students must request accommodations from the Disability Services (DS) Office.
School is responsible for accommodations in order to provide the least restrictive environment (LRE).	Students must self-advocate for and request accommodations from DS provider.
Parents have access to students' records/grades until age 18.	Parents have no access to students' records without written consent beginning at age 18.
IEP advocates for students.	Students advocate for themselves with support as needed from DS provider.
Team meets periodically with teachers and parents to discuss students' educational progress.	Faculty members, seldom, if ever, interact with parents. Students are expected to address issues with them directly.
Section 504 of the Rehabilitation Act of 1973 in the public schools includes "Free and Appropriate Public Education."	Section 504 upholds the institution's right to maintain their academic standards, and no accommodations may be permitted to reduce that standard for any student. Student must meet all entrance and academic requirements.
Public schools, for the most part, are responsible for appropriate assessment of a student's disability.	Equal access to education is the order of the day – no one is entitled to anything, but rather students have civil rights, and they must advocate for themselves.
Some subjects may have been waived for a student if they relate to the student's disability.	"Waivers" for requirements are never granted. Substitutions are typically granted after the student has provided adequate verification to SSD of their disability.

K-12	College
Assessment, physical or other therapy, or personal care provided by school.	Care can be requested by students at the Health Center or Counseling and Psychological Services.
Students often receive “untimed tests” if they have a disability.	All tests are timed, while some receive certain time extensions depending upon the disability.
Education is a RIGHT and must be accessible.	Education is NOT a right. Students must go through an admissions process and meet certain criteria to be admitted.
The Individuals with Disabilities Education Act (IDEA) entitles or guarantees disability services and accommodations to students with disabilities.	The applicable laws are the Americans with Disabilities Act Amendments Act (ADAAA) and Sections 504 and 508 of the Rehabilitation Act.
IDEA is about success in the LRE.	ADAAA/504 & 508 is about ACCESS.
Fundamental modifications of curricula possible.	Modifications are not required.
The school district is responsible for identifying the disability and developing an IEP.	Students must self-disclose disability and request accommodations. An IEP is not recognized.
Personal services (i.e., personal care attendant, OT, SPL, aide) are required and funded by the school.	Personal services are not required nor provided by the institution.
The school district is responsible for the evaluation process leading to the development of an IEP.	Students are responsible for providing their own evaluations/documentation.

Source: Gateway Technical College⁶; Lynn University ADA Faculty Responsibilities⁷

Communication Etiquette

Below is a list of things to remember when communicating with disabled persons.

1. See the person who has a disability as a person, not a disability.
2. Don't "talk down." Avoid responding to people with disabilities out of "gratefulness" for not having the disability yourself.
3. Be considerate. It might take extra time for the person with a disability to say or do things. All disabilities are not readily apparent.
4. Don't lean or hang on a person's wheelchair. It is part of that person's personal body space.
5. Ask a wheelchair occupant if he or she wants to be pushed before you do so.
6. Don't pet a service animal when it is working. Remember to walk on the side of the person away from the animal.

7. Ask the person if he or she wants your help first. When giving assistance to a person with visual impairment, allow the person to take your arm, which helps you to guide them. Warn the person of any steps or changes in the level of the walking surface. Use specific terms such as "right" or "left."
8. When communicating with a person with a hearing impairment, speak clearly and slowly. Don't shout or exaggerate lip movements and keep sentences short. Keep hands, food, etc., away from your mouth when talking.
9. Speak directly to the person who has a disability, not to a companion or interpreter.
10. Relax. Don't worry about using common expressions like "see you later" or "I've got to be running along" when talking to persons with physical or visual disabilities.

Implementing Accommodations with Fidelity

OCR has ruled that faculty be intuitive, engaged, and thoughtful during the ADA implementation process. We realize that this can be an enormous responsibility and are here to support you. Once an accommodation has been approved by SSD and the Faculty Notification Letter received by the professor, the accommodation must be implemented with fidelity.

A common reason why accommodations are not implemented with fidelity is because of a communication issue: SSD, faculty, and/or the student(s) do not share a common understanding of the accommodation. This can occur for the following reasons:

- The faculty notification letter uses language that is unclear to the faculty member.
- The student does not understand their approved accommodation(s).

It is vitally important that SSD and faculty members build a foundation of consensus regarding the accommodation(s). SSD encourages faculty to provide feedback on the accommodation language. SSD is also available to hold trainings for incoming and current faculty members and answer questions regarding accommodations.

In regard to students, it is important to note that when students reference an accommodation, their communication tends to be indirect. It is advisable that faculty actively listen to the student. Most issues can be resolved through active listening of the conversation between faculty and student. SSD can support faculty at any point through the progression of the conversation. SSD **strongly discourages** faculty and students from generating a new accommodation without the input of SSD.

Syllabus Statement

Each class syllabus should include a statement about disability services and refer students to SSD to request accommodations. The Associate Provost for Academic Programs sends out periodic emails regarding recommended content. SSD recommends that faculty include the following on **ALL** class syllabi regarding the provision of accommodations for students with disabilities:

Students with disabilities: If you are seeking classroom accommodations under the ADA, you are required to register with the Office of Services to Students with Disabilities (SSD). SSD is located in UH-183, or you can telephone them at (909) 537-5238 or email them at ssd@csusb.edu. To receive academic accommodations for this class, please obtain the Faculty Notification Letter from SSD.

It is also suggested that instructors include a statement pertaining to the evacuation of students with disabilities in case of an emergency. Students should be encouraged to inform their instructors about the type of assistance that may be required as well as contact the SSD office regarding special needs for evacuation.

SSD's Accommodation Information Management Platform (AIM)

The Office of Services to Students with Disabilities (SSD) has transitioned to a comprehensive accommodation, appointment, and case management software called the Accessible Information Management system or AIM. The software enables students to access important information critical to their academic success 24 hours a day. For example, students can do the following through AIM: apply for services

and upload documentation; request appointments, accommodations, alternative media, and ASL interpreters and real-time captioners; generate and send Faculty Notification Letters to their instructors; schedule exams/quizzes at the SSD Testing Center and view proctoring information such as the date and time; and download notes. Volunteer notetakers can use AIM to volunteer to take notes for classes, accept assignments, and upload their notes.

AIM is synchronized with CSUSB's PeopleSoft system so that the class information is as accurate as possible when providing accommodations. It lists the class, with day(s)/time and location/modality as well as the instructor assigned to the course. AIM also synchronizes with the official Coyote Bookstore listing to have access to adopted textbook information for the upcoming term. Changes made in PeopleSoft require 24-48 hours to update in AIM.

Faculty Notification Letter

The Faculty Notification Letter is the document **provided by SSD that explains to faculty the reasonable accommodations to be provided to a student** enrolled in their course. The letter is sent out automatically via email to the instructor assigned to the course. The letter states that the student has a verifiable disability and has been authorized accommodations. The letter contains the list of accommodations along with a brief description of the accommodation and what the instructor is responsible to provide (i.e., allowing a captioner to take record of the class session) and what SSD will provide (i.e., cart rides). See the Appendix for a sample copy of the Faculty Notification Letter.

Once received instructors must comply with the assigned accommodations as failure to comply with accommodations can result in legal liability to the campus and individual instructor. Faculty have the right, however, to object to an approved accommodation, academic adjustment or auxiliary aid in their program or classroom if they have concerns that it would fundamentally alter the course curriculum. Below are the steps to engage in a process to raise the concern for discussion and review. In all cases the approved accommodation will need to be active and implemented

during the dispute resolution process until an alternative decision, if any, is made to modify or alter it:

- Upon receipt of a Faculty Notification Letter, with stated approved accommodations, faculty need to immediately engage with the listed SSD Disability Counselor to seek a consultation regarding the specific concerns.
- The SSD Disability Counselor and course faculty will engage in a review of the accommodation and the perceived impacts of implementation in the course/program. SSD will review the student file and approval process to attempt to resolve/address faculty concerns as soon as possible and work with faculty to identify an alternative accommodation.
- If needed, SSD staff will engage in the fundamental alteration process to review concerns per the relevant decision-making framework and engage as necessary the faculty/academic department. SSD will share outcomes and decision of process with course/program faculty.

Accommodations/Support Services

It is the role of SSD to determine the eligibility of the student for an accommodation based on the educational limitation of the disability. Reasonable accommodations depend on the nature and degree of severity of the documented disability. Although the ADA requires that priority consideration be given to the specific method requested by the student, it does not imply that a particular accommodation must be granted if it is deemed not reasonable and other suitable alternatives are available. The role of the faculty is to be intuitive, engaged and thoughtful, during the ADA implementation process.

Students with disabilities have a variety of accommodations available in order to provide them with equal access. Accommodations are determined and approved by SSD disability counselors based upon an interactive process and the documentation submitted with the student's application. The following are the more commonly assigned accommodations, but it does not mean that a student receives all of them and assignment is done on a case-by-case basis.

Note: Accommodations are not applied retroactively. From the time the Faculty Notification Letter is emailed, the students' accommodations are active.

Alternative/Accessible Furniture

SSD authorizes students' access to specialized, alternative/accessible furniture (e.g., adjustable height table, padded chair) in classes based on disability. Furniture is marked with either a sticker that designates it for use by students with disabilities, or with the universal access symbol. Students are required to submit a request for furniture for each class every term. SSD works with students to ensure access to the furniture. Since classroom furniture is used by multiple students with disabilities throughout the day, we ask that instructors help facilitate students access to the furniture when contacted. It is also requested that if the accessible furniture is moved that it be placed back where it was located upon completion of the class session.

Alternative Media/Print Materials

Some students require print materials in alternative formats (e.g., electronic, braille) to have meaningful access to class materials. Obtaining, converting, and editing these materials can take SSD weeks, so timely submission of book orders and course packets (e.g., by the established campus deadlines) to the Coyote Bookstore is imperative.

E-books are generally **not accessible**; however, they may be accessible through the Kurzweil 3000 software. Please contact the Alternative Media Coordinator at SSD for more information at altmedia@csusb.edu. For syllabi and other print materials posted on Canvas (and other websites), instructors can contact John Whitley, Digital Content Accessibility Specialist at Accessible Technology Services, at John.Whitley@csusb.edu.

Cart Service

Students with a permanent or temporary visual or physical disability may have access to cart services. The services are individualized and scheduled upon a first-come, first-serve basis. Both scheduled and unscheduled rides are available from 7:20 a.m. to 9:40 p.m., Monday – Thursday, 7:20 a.m. to 4:40 p.m. on Fridays, and Saturdays

by appointment. SSD staff will coordinate with instructors whose class times are outside the times when cart service is provided.

Class Aides

Class aides are provided for students with physical and/or sensory disabilities who need assistance during classes and/or labs in order to perform the required class activities. The role of the class aide is limited and will be discussed ahead of time with the instructor, student, and class aide. SSD will contact instructors if a class aide is an assigned accommodation for a class/lab. Instructors are asked to provide information about the necessary academic qualifications of a class aide and to help identify potential candidates. While a class aide is being sought and hired, SSD may need to enlist the support of the instructor to assist the student.

Deaf/Hard-of-Hearing Services

Students may require the assistance of American Sign Language (ASL) interpreters, real-time captioners (i.e., court reporters) and use of sound amplification systems to facilitate receptive (i.e., hearing) and expressive communication (i.e., speech) in classes. SSD makes every effort to notify instructors a couple of weeks before each term that a student will use these services. Information and guidelines for how to interact while students are using these accommodations in the classroom appear below.

ASL Interpreters

ASL interpreters are required for any in-person/livestreaming sessions for students approved for this accommodation. The interpreters assigned are bound by the Code of Ethics developed by the National Registry of Interpreters for the Deaf, which specifically states that interpreters are communication intermediaries. They are to facilitate the integration of the student into the classroom environment. To facilitate the accommodation, faculty should email ssddeafservices@csusb.edu the course dates and times that they plan to hold in-person/live streaming sessions so that interpreters can be scheduled. SSD will need the hyperlink and password for the interpreters to log in for synchronous sessions (e.g., Zoom, Microsoft Teams). Be mindful when setting the password that vendor interpreters do not have access to

MyCoyote. Considering this, the link must be accessible to individuals who do not work on campus. Autogenerated captions should be turned on for livestreaming sessions (Zoom, Microsoft Teams). Closed Captioning has been enabled for Zoom. The host of the meeting will click on the Closed-Captioned icon to select the “Enable Auto-Transcription.” For in-person classroom sessions, the student will generally require seating in the front row. The interpreter will require a chair that will need to face the student.

Etiquette when Communicating with Students that Use ASL Interpreters

Below are tips that faculty can employ to ensure students with this accommodation are able to benefit from the lecture and class discussions while having minimal distraction:

- Speak directly to the deaf/hard-of-hearing person, rather than the interpreter. Avoid using phrases such as “tell him,” or “ask her”.
- Speak normally. Just be aware that there may be a lag time between the spoken message and the interpretation.
- When referring to objects or written information, allow time for the translation to take place. Use more specific terms such as “on the second line” instead of “here” or “there”.
- In a conference or classroom setting, students with this accommodation will generally have the accommodation “seating in the front row” as noted in the faculty notification. Students are advised to arrive early, but due to delays and back-to-back classes, faculty assistance regarding this accommodation is appreciated. ASL interpreters will also need chairs that they can move to face the student.
- Inform the interpreter in advance if there is an audiovisual element in a presentation so arrangements can be made for lighting and positioning.

Be sensitive to sessions that extend longer than one hour. The interpreter may require a short break to maintain proficiency in interpreting. Class sessions that are two hours or more are assigned two interpreters who will trade off.

Real-Time/Remote Captioning

The captioner assigned serves as a means of providing the lecture in transcript form to supplement the student's notes. Captioners are to serve only as transcribers. They will not clarify terms or points for the student. The transcripts are for the student's academic use only and are not to be shared with other students. Students receiving this accommodation sign an Audio Recording and Transcription Services Agreement that advises them to destroy transcripts forty (40) days from the end of the term.

To help facilitate a beneficial environment for an in-person lecture, faculty can follow these tips to facilitate the accommodation:

- Ensure that a table near the front is available.
- Due to equipment needs, the captioner will need to sit next to a power source.

For Remote Captioners, the professor may be asked to wear a microphone or have one placed in a central location to transmit verbal communication.

Faculty should email ssdeafservices@csusb.edu the course dates and times that they plan to hold in-person/live streaming sessions so that real-time captioners can be scheduled. SSD will need the hyperlink and password for the captioners to log in for synchronous sessions (e.g., Zoom, Microsoft Teams). Be mindful when setting the password that vendor captioners do not have access to MyCoyote. Considering this, the link must be accessible to individuals who do not work on campus. Faculty should ensure they assign a 3rd party CC service for the captioner. For Zoom, click on the Closed Caption icon on the toolbar. The options list will pop up including the "Use a 3rd Party CC service." Enter the captioner's API token. Be mindful that autogenerated captions must be turned off for livestreaming sessions (Zoom, Microsoft Teams).

Student Retrieval of Captioning Notes

The captioning notes (real-time and remote) are prepared by the captioner and emailed to the vendor and the SSD office within 1-2 days of completion of the session. Once emailed, the captioning notes are deleted from the captioner's personal laptop. SSD creates a folder for all the classes for which the student is authorized to receive captioning notes. The folder is restricted to the registered student, SSD then uploads

them to the student's Blackboard class folder on SSD's Blackboard account where only the registered student can access them. SSD archives the captioning notes for the student's use while in the class. The notes and folders are deleted upon forty (40) days after completion of the class.

SignGlasses

SignGlasses allows students that use sign language or real-time captioning to receive services through an online platform. The SignGlasses equipment allows students to wear glasses and see the interpreter/captioner projected on the lens as they are attending lecture to have a more interactive experience. For students that wear glasses and for online courses, SignGlasses can be used with a webcam and a tabletop microphone and students can watch the interpreter/captioner on the computer screen.

Sound Amplification Systems

Sound amplification systems are used to facilitate the student's hearing as a disability related accommodation by amplifying the sound directly into the student's ears. These devices typically require the instructor to either wear a lapel microphone or place a tabletop microphone as close to them as possible to pick up sound. The following are tips when utilizing the microphone:

- The instructor should wear the transmitter and lapel microphone. The mic should be placed as close as possible to the instructor's mouth.
- The student should bring the transmitter at the beginning of class and retrieve it at its conclusion.
- Be advised that during breaks or private conversations, the instructor will need to turn the unit off or remove it to ensure privacy.
- Tabletop microphones should be placed on a table as close as possible so the student can pick the sound up. Instructors should be mindful of their movements when using the tabletop mic as sound could fade if they move too far away.

A Faculty Notification Letter will be emailed directly to the faculty member that includes the accommodation along with preferential seating generally in the front row. This is not always possible, however, due to back-to-back classes and occasional delays. It is appreciated that faculty assist with this accommodation.

Captioning of Instructional Materials

Federal and state legislation requires that all videos and other media (e.g., YouTube clips) shown in classes be closed captioned and the closed captioning be turned on. Please note that auto-generated captions on YouTube videos **do not** meet accessibility standards. Transcripts and English subtitles in lieu of captions are also generally not considered accessible. If the videos are not close captioned or you will use other electronic instructional materials (e.g., YouTube videos, sample clips), please complete the [<https://csusbprocurement.formstack.com/forms/ccar>] or contact John Whitley, Digital Content Accessibility Specialist at Accessible Technology Services, at John.Whitley@csusb.edu. If you show any videos in your class, please contact Academic Technologies and Innovation (ATI) at ext. 77439 to ensure the room has a closed caption decoder for videos/DVDs that have closed captioning. Instructors are encouraged to contact SSD with any questions about these services.

Exam Accommodations

Students' exam accommodations may include additional time, a private room, specialized computer equipment, a reader or other services. For purposes of SSD, an exam refers to a test, like a midterm or final, and quizzes. Instructors may choose to proctor tests (or have them proctored in their department) when they can provide all of the assigned accommodations.

Online Instructor Testing Agreement

For students that request exam accommodations, SSD's accommodations management software "AIM" will send a link to the instructor assigned to the course. The link navigates to the Online Instructor Testing Agreement. This form only needs to be filled out once for the course with any instructions the instructor may have for SSD to proctor exams on their behalf. There is also the option for instructors to mark if the exam is online/they will proctor, or no exam at all. If the instructor selects that

they will proctor the exam themselves, or the exam is online (i.e., Canvas), they are agreeing to provide **ALL** testing accommodations listed on the Faculty Notification Letter.

Instructors will need to enter the amount of time the class will receive for each type of exam (quizzes, exams/midterms, finals) as well as any special instructions (i.e., closed notes, blue scantron, etc.). A tutorial video can be found on [SSD's Tutorial Gateway](#). If changes are needed, contact SSD at ssdproctoring@csusb.edu. Students are responsible for submitting their individual exam dates through AIM at least five (5) business days in advance of the exam date and three (3) weeks in advance of finals during the regular academic year to ensure a testing appointment and allow SSD time to obtain the exam.

Scheduling Exams

Exams are scheduled as close to the class time as possible. However, students cannot be required to miss same-day class lectures/presentations or another class in order to use their full testing time. If there is a scheduling conflict, the instructor can note an alternate date and time that he/she wants the student to take the exam. Instructors also have the right to challenge an exam date if they do not agree by clicking on the link in the email notification that they receive about the proposed testing date.

SSD's final exam schedule differs from the published schedule due to the extended testing time students receive. For more details on SSD's finals schedule, please contact SSD proctoring at ssdproctoring@csusb.edu. SSD's standard practice is to contact instructors via email regarding testing and timely responses and when submission of exam is needed. The best way to provide SSD with exams is to upload them through the link provided in the reminder email. The other option is to submit exams to ssdproctoring@csusb.edu. This helps facilitate electronic conversion of tests for students with print-related disabilities. Tests are also accepted in-person and via fax.

Submitting exams via intercampus mail is **strongly** discouraged. If tests are not received prior to the testing appointment, an SSD representative will go to the class

to retrieve the test. Delays in students' start time may preclude students' access to their full testing time and may result in legal liability to the campus and individual instructor.

By submitting the request, the student is stating they understand and agree to the student responsibilities to maintain academic integrity. All exams are proctored, and students are only permitted materials approved by their instructor (in addition to their accommodations) during exams. Observations of irregular test-taking behavior (e.g., possible cheating) are reported to instructors. Exams may be picked up at SSD during normal business hours, or delivered to instructors' department mailboxes, or emailed to the instructor. Exams are not delivered to instructor offices and require the name/signature of a staff member (or instructor).

The standard practice of SSD provides that if instructions are not expressly given by the instructor (i.e., open/closed book, calculator, etc.), the default is that they are not allowed on the exam. However, if the student comes to take an exam and states that something is allowed, but it is not marked, SSD will immediately attempt to contact the faculty by calling the number provided or via email. Thus, it is important that instructors include everything that is allowed/not allowed on exams on the Online Instructor Testing Agreement. If SSD is unable to contact faculty, the Accommodations Coordinator, or designee, will use their best judgement about how to proceed. If additional items are permitted for use on an exam, it will be noted on the testing cover sheet and given to the faculty member with the exam.

Extended Test Time on Canvas and in Class

If you administer timed tests on Canvas, it is imperative that you master how to grant extended time. **SSD does not have access to individual classes on Canvas to adjust exam times.** OCR recently found that a college failed to comply with implementing the ADA accommodation of extended time because a professor "didn't know how to individually give a student extended time." In this case, the professor had allotted 30 minutes for a quiz; because she did not know how to give the ADA student 60 minutes, she gave all students 60 minutes. OCR ruled that it didn't meet the accommodation of granting extended time for the ADA standard.

Students that opt to take exams in class are entitled to their exam accommodations. As a faculty member, instructors are obligated to provide the exam accommodations listed on the Faculty Notification Letter, including extended time. SSD is available if you have questions about exam accommodations and how they apply.

SSD understands that it can be confusing to apply the extended time for students that are eligible for this accommodation. Below is a conversion table for 1.5 time and double-time. This is applicable for exams or quizzes posted on Canvas and if the faculty member chooses to proctor the exam.

Additional Time Calculation Chart		
Class Allotted Time	1.5x	2x
30 minutes	45 minutes	1 hour
40 minutes	1 hour	1 hour, 20 minutes
45 minutes	1 hour, 8 minutes	1 hour, 30 minutes
50 minutes	1 hour, 15 minutes	1 hour, 40 minutes
1 hour	1 hour, 30 minutes	2 hours
1 hour, 10 minutes	1 hour, 45 minutes	2 hours, 20 minutes
1 hour, 15 minutes	1 hour, 53 minutes	2 hours, 30 minutes
1 hour, 20 minutes	2 hours	2 hours, 40 minutes
1 hour, 30 minutes	2 hours, 15 minutes	3 hours
1 hour, 40 minutes	2 hours, 30 minutes	3 hours, 20 minutes
1 hour, 45 minutes	2 hours, 38 minutes	3 hours, 30 minutes
1 hour, 50 minutes	2 hours, 45 minutes	3 hours, 40 minutes
2 hours	3 hours	4 hours
2 hours, 15 minutes	3 hours, 23 minutes	4 hours, 30 minutes
2 hours, 30 minutes	3 hours, 45 minutes	5 hours
2 hours, 45 minutes	4 hours, 7 minutes	5 hours, 30 minutes
2 hours, 50 minutes	4 hours, 15 minutes	5 hours, 40 minutes
3 hours	4 hours, 30 minutes	6 hours
3 hours, 50 minutes	5 hours, 45 minutes	7 hours, 40 minutes
4 hours	6 hours	8 hours

Notetaking Services

Students may have access to notes taken by a peer in class as an accommodation. Students have the option of recruiting their own notetaker or having SSD recruit a notetaker. If SSD recruits the notetaker, students in the class are contacted via email prior to the start of the term. If a notetaker is not found, then an SSD representative will come to the class to make an announcement and recruit a notetaker. This generally takes less than 5 minutes and usually occurs during the first few weeks of classes. Occasionally, an SSD representative must return to the class when a notetaker is not identified or to find a replacement notetaker. Sometimes, assistance will be requested from faculty in the recruitment process. An email will be sent to the instructor asking for assistance to recruit a notetaker.

Recording of Class Lectures

The use of a digital recorder (or similar device) during class lectures may be an assigned accommodation. Students sign an Audio Recording and Transcription Services Agreement stating that they understand that recordings are for their academic use only and are not to be shared with other students. If the instructor informs students that they are forbidden from taking notes during the lecture, students are to turn off or pause the recording device. Students are advised to erase the recordings within forty (40) days from the end of each term. Instructors are encouraged to contact SSD if there are concerns about recording of specific class content.

Service Animals

Some students may bring a service animal to class because they are tasked with aiding that student regarding their disability. Service animals, as defined by the ADA, are dogs or miniature horses that are individually trained to do work or perform tasks for people with disabilities. Animals that are used as emotional support or comfort animals as part of a treatment are not covered under the ADA and therefore, not protected under federal law and cannot be brought into the classroom. Handlers are responsible for the supervision and care of their service animal. If the handler does

not have control (i.e., creating a disturbance, not housebroken), faculty may ask that the service animal be removed from the classroom.

As part of the ADA, service animals must be allowed access with their handlers to all areas of the facility open to the public or to students. The university asks students who use service animals to contact the SSD office to register as a student with a disability. CSUSB may not require any documentation about the training or certification of a service animal. The university may, however, require proof that a service animal has any vaccinations required by state or local laws that apply to all animals.

If a student has a service animal accompanying them, but it is not readily apparent that the student has a disability, only two questions may be asked:

1. Is the animal required because of a disability?
2. What task has the animal been trained to perform?

Faculty may not ask an individual the extent or nature of his/her disability nor ask for proof that the animal has been certified, trained or licensed as a service animal. Refer to the [Animals on Campus Policy](#) for more information.

SmartPen

Students may have access to the SmartPen as an accommodation. A SmartPen is a unique writing tool that records everything said in a lecture and photographs everything that it writes and syncs them so the user can find any part of a lecture. Students who use the SmartPen will have special notebook paper that will enable them to go back to a portion of the lecture and listen to the audio recording. They will also be able to upload and access their notes in a digitized format using the SmartPen software. The pen audio records enabling a student to return to that point in the lecture to clarify a point that was said by tapping on a word they have written in their notebook. Students sign an Audio Recording and Transcription Services Agreement stating that they understand that recordings are for their academic use only and are not to be shared with other students. Students are advised to erase the recordings within forty (40) days from the end of each term.

Temporary Accommodations

SSD provides temporary accommodations for students with a temporary injury, illness, or condition that impacts their academics. This can include, but is not limited to recovery from surgery, injuries such as a broken arm or sprained ankle, concussion, short-term medical conditions, or illnesses such as COVID-19. In regard to COVID-19, students may self-report to faculty or staff. Faculty or staff should refer students that self-disclose to SSD. An SSD disability counselor will assess the student and work with faculty members to establish temporary accommodations. Temporary accommodations have a start and end date.

Unique Accommodations

Two accommodations, remote instruction and assignment accommodations, are relatively new in higher education and require collaboration between the student, faculty member, and SSD staff.

Assignment Accommodations

Students may be determined eligible for the accommodation of extended time on out-of-class writing assignments on a case-by-case basis under the following concurrent conditions: 1) The narrative description of substantial limitations to major life activities, and current functional limitations relating to academic performance provided in the disability verification documentation indicate a need for such accommodation, and 2) discussion between the SSD counselor and faculty group (i.e. instructor, chair of the department) finds that the provision for extended time on a given writing assignment will not interfere with essential course requirements. Upon agreement of the extension, students will fill out with their instructor the form to extend the out of class assignment and submit it to SSD.

Attendance Modification

Students who are enrolled in courses at CSUSB are expected to attend class regularly and in accordance with the attendance policy of each course. Occasionally, students may have disabilities that impact their ability to attend class. While SSD can verify that the student's disability may cause difficulty with course attendance and an accommodation may be in order, it is within a faculty member's expertise to

determine whether modifying course attendance policies is a reasonable accommodation.

In some cases, attendance is fundamental to course objectives; for example, students may be required to interact with others in the class, to demonstrate the ability to think and argue critically, or to participate in group projects. In other instances, faculty may determine that students can master course content despite some or many absences. Rarely, faculty may decide that students do not need to attend classes at all.

Important note: This accommodation is intended to support limited additional absences for disability-related reasons in certain circumstances, but it does not entitle a student to be excused from substantial class attendance. Students who are unable to attend a substantial number of classes as a result of their disability should discuss an alternative accommodation with their SSD Disability Counselor, such as a Reduced Course Load or a Medical Leave of Absence.

Typically, faculty are not required to lower or to make substantial modifications of standards for accommodation purposes. SSD applies the following consideration points (adopted from the Office of Civil Rights) to determine if class attendance is fundamental to course participation:

- Is there classroom interaction between the instructor and students, and among students?
- Do student contributions constitute a significant component of the learning process?
- Does the fundamental nature of the course rely upon student participation as an essential method for learning?
- To what degree does a student's failure to attend constitute a significant loss to the educational experience of other students in the class?
- What does the course description and syllabus say?
- What is the method by which the final course grade is calculated?

- What are classroom practices and policies regarding attendance?
- How is attendance related to the learning outcomes of the course?
- Are there any alternative methods that the student can acquire/demonstrate mastery of the skill that would meet the same learning outcomes of the course when not considering attendance as a factor?
- Are there other faculty teaching the same course/content? If yes, is the attendance policy the same in all sections of the course?

Students approved for attendance modifications as an accommodation are encouraged to communicate with their professors as early in the semester as possible so that there is a clear and shared understanding of how attendance may impact a student's ability to meet course requirements. SSD provides an agreement form that can be used to discuss the accommodation. A copy of the agreement form is in the Appendix.

CSUSB staff are available to address faculty members' questions or concerns about this accommodation, or to assist with mediating the process to reach an agreement between students and their instructors.

Remote Instruction

Students may be determined eligible for the accommodation of remote instruction on a case-by-case/class-by-class basis under the following concurrent conditions: 1) The narrative description of substantial limitations to major life activities, and current functional limitations relating to academic performance provided in disability verification documentation indicate a need for such accommodation, and 2) discussion between the SSD Disability Counselor and faculty finds that the provision for remote instruction will not fundamentally alter course curriculum.

Potential Areas of Risk

In some instances, a student, the ADA Office, or a professor may overlook needs that a student will have in non-traditional academic settings. Examples include a university sponsored trip, a class invitation to an outside venue or personal home,

hosting external speakers, or attending events with off campus speakers. Examples of accessibility problems could include: Inability to access a bathroom, inability to access content (because of a visual or hearing impairment), or hosting external professionals that are not prepared with accessible content.

CSUSB and SSD have adopted language for on campus events. It is strongly encouraged that faculty use this language: If you require accommodations, please notify [Insert name of Instructor] 72 hours prior to the event.

Students with disabilities are entitled to access for educationally related events. Some things to consider about events are:

- Accessible bathrooms
- Service animal accessibility
- Location of ASL interpreters/real-time captioners
- Accessible seating
- Transportation to and from the event

Faculty members who have questions about the accessibility of an event that students are required to attend should contact SSD at 909-537-5238 or ssd@csusb.edu.

Confidentiality

SSD is committed to ensuring that all information regarding a student is kept confidential as required by law under the Federal Family Educational Rights and Privacy Act (FERPA). Information collected by SSD is primarily used to determine the presence of a disability, functional limitations, and to determine reasonable accommodations.

Only SSD staff has access to student files. Any information regarding a disability submitted by the student (i.e., medical/psychological documentation) or documentation created by SSD on behalf of the student is considered confidential and is shared with authorities within the institution on a need-to-know basis provided the student provides their written consent. The exception is when a student may be at risk of harm to self or others in accordance with university practices.

Faculty members have a responsibility to uphold confidentiality regarding a student with disabilities and his/her accommodations. The following are some do's and don'ts.

1. It is imperative that **faculty members do not identify students with disability accommodations**. This is private and confidential and should never be shared with colleagues or in the classroom where other students can hear.
2. **Do not ask** specific students for their faculty notification letter in front of others. The letter is sent directly to the faculty member's CSUSB email address.
3. **Do not ask** students about their underlying condition or diagnosis.
4. **Do not assume** that the student has or does not have a disability. If you have a concern that a student may not be able to perform a task due to a mental or physical condition or limitation, please contact SSD for guidance. Your course syllabus should also have the appropriate statement referring students to SSD.
5. Once a student has requested accommodations from you, but you have not received the Faculty Notification Letter via email, please refer them to SSD.
6. SSD **does not** encourage faculty to accommodate students without the appropriate faculty notification letter and language for the specific accommodation. Please follow up with SSD if you are unsure about a specific accommodation.

Accessible Content

CSUSB is committed to providing accessible university information to all CSUSB students, faculty, staff, and interested parties regardless of disability. The CSU strategic plan's first and primary goal is student success. In addition, a major initiative within the CSU is the Accessible Technology Initiative (ATI). Each of these activities seeks to provide our students, faculty, and staff with the most productive campus experience. Providing materials and products that are accessible adds value to this experience.

All faculty are encouraged to post their content in Canvas. Content is defined as all materials for which students may have to demonstrate a competency. **All posted**

content needs to be in accessible formats so that students who are visually impaired, blind, deaf/hard-of-hearing or have a print related disability can access it. Hence, it is inappropriate to post or use documents (i.e., handouts) in which students cannot use assistive technology to read the document.

Examples of Documents and Accessibility

Handout, JPEG, or Picture of Document	Word Documents	PDF's
Not accessible (images can be made accessible using alternative text)	Accessible depending on font (Verdana, Trebuchet are the most accessible)	Very accessible, provided images and figures are properly tagged

Moreover, it is inappropriate to post or use media without closed captioning. Auto-generated captions for YouTube are not considered accessible. As faculty members, you are responsible for accommodating the student requesting the accommodation. However, **it is a best practice to design all of your courses with accessibility in mind.**

CSUSB provides resources to assist faculty in making their digital materials accessible. Please note that if you require captioning for videos or you will use other electronic instructional materials (e.g., YouTube videos, sample clips), please complete the [<https://csusbprocurement.formstack.com/forms/ccar>] or contact John Whitley, Digital Content Accessibility Specialist at Accessible Technology Services, at John.Whitley@csusb.edu.

Universal Design for Learning (UDL)

Universal design for learning is a framework to improve and optimize teaching and learning for all people based on scientific insights into how humans learn. The following domains are represented:

- Affective networks or the why of learning. Engagement is necessary for purposeful, motivated learners, to stimulate interest and motivation for learning.

- Recognition networks or the “what” of learning. Representation assists in producing resourceful knowledgeable learners by presenting information and content in different ways.
- Strategic networks or the how of learning. Action and expression assist in creating strategic, goal-directed learners, by differentiating the ways that students can express what they know.

These guidelines offer a set of concrete suggestions that can be applied to any discipline or domain to ensure that all learners can access and participate in meaningful, challenging learning opportunities. UDL pedagogy is considered the best practice in ADA accessibility.⁸



Coyote Career Network mentors and mentees engage in the speed networking activity

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Appendix

Faculty Notification Letter – Sample



Student Affairs
Services to Students with Disabilities

Summer 2022 - ART 2395.60 - ART IN CLASSROOM (CRN: 6062060)

Cody Coyote has supplied Services to Students with Disabilities (SSD) with documentation that qualifies the student for the services indicated below.

Accommodations are required under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. The purpose is to provide the student with an environment to obtain information and demonstrate mastery of information being tested by minimizing or eliminating the impact of the disability. If any of the below academic adjustments results in a fundamental alteration of this course, please contact the the SSD office. If requested, your prompt response will ensure that California State University, San Bernardino is in compliance.

Please respect the student's right to confidentiality and limit your discussion of a student's disability or accommodations to private conversations. It is the student's decision whether to share specifics about their disability.

Important Notice: The information in this letter is strictly confidential!

Specific accommodations the student is eligible to receive:

1. Alternative Formats

- Kurzweil

2. Alternative Furniture/Seating

- Alternate Table and Chair
- Seating in Front of Classroom

3. Alternative Testing

- Computer for Essays
- Distraction Free Environment
- Extra Time 1.50x
- ZoomText

4. Mobility Services

- Scheduled-Campus Mobility

5. Other

- Audio Record Class Lectures

6. SmartPen Services

- SmartPen

909.537.5238 fax: 909.537.7090 TTY: 909.537.7230 <http://ssd.csusb.edu>
5500 UNIVERSITY PARKWAY, SAN BERNARDINO, CA 92407-2393

The California State University Bakersfield Channel Islands Chico Dominguez Hills East Bay Fresno Fullerton Humboldt Long Beach Los Angeles
Maritime Academy Monterey Bay Northridge Pomona Sacramento San Bernardino San Diego San Francisco San Jose San Luis Obispo San Marcos Sonoma Stanislaus



Student Affairs
Services to Students with Disabilities

If you want to learn more about providing accommodations for students with disabilities, please visit:
<https://www.csusb.edu/ssd/faculty>

Thank You,

Services to Students with Disabilities
California State University, San Bernardino
University Hall, Suite 183
San Bernardino, CA 92407
Email: ssd@csusb.edu
Phone: (909) 537 - 5238
Fax: (909) 537 - 7090
Website: <http://ssd.csusb.edu/>

909.537.5238 fax: 909.537.7090 TTY: 909.537.7230 <http://ssd.csusb.edu>
5500 UNIVERSITY PARKWAY, SAN BERNARDINO, CA 92407-2393

The California State University Bakersfield Channel Islands Chico Dominguez Hills East Bay Fresno Fullerton Humbolt Long Beach Los Angeles
Maritime Academy Monterey Bay Northridge Pomona Sacramento San Bernardino San Diego San Francisco San Jose San Luis Obispo San Marcos Sonoma Stanislaus

Disability-Related Attendance Modification Form



RESPECT • ABILITY • ACCESS • DIGNITY

Accommodation Agreement

Disability-Related Attendance Modifications

This agreement pertains to arrangements made for students who are being evaluated by SSD for disability-related attendance modification.

In order to ensure the student, the instructor, and SSD share a clear understanding of the accommodation and it is reasonable for this course, SSD strongly encourages that the student and instructor respond to the questions listed below and submit it to SSD.

- * Please contact SSD with any questions and for consultation or mediation through this agreement.
- * Please review SSD policies regarding the attendance accommodation for in-depth descriptions and guidance helpful for completing this agreement.

Student Name:	Instructor Name:
Course & Section:	Term:

Instructor:

1. Please state the agreed upon number of disability-related absences (or percentage of class) that will be permitted. Be as specific as possible. Please avoid vague phrases such as “flexible” or “open” or “to be determined” which may cause future concern or confusion.

2. How and when will the student notify the instructor of a disability-related absence? (Depending on the nature of the student’s disability, it is reasonable for the student to notify the instructor of a disability-related absence either before or after the missed class session, but in a timely, “as soon as possible” manner.)

3. Is there an alternative to missed participation for the day(s) the student is absent? If so, please specify the agreed-upon alternative.

4. **What is the process for turning in short-term assignments/projects, without penalty, that was due the day of the disability-related absence?** Note: Please plan for short extension windows, possibly the amount of time equivalent to that which was missed. In some cases, it may be appropriate to consider an alternative assignment to make up for missed discussions or projects. (Not intended for extensions on long-term assignments.)

5. **What is the process and timeline for making-up quizzes/tests/exams or in-class graded assignment, without penalty, that were scheduled for the day of the disability-related absence?**

6. **What, if any, critical assignments or class dates exist that, to be absent, would have a significant impact on other students** (e.g. group presentation), or for which participation, learning or assignments cannot be made up (e.g. guest speaker)?

I have reviewed the SSD policies and procedures for determining whether attendance is a fundamental aspect of this course, and if so, how. Based on this, modified attendance for disability-related reasons is a reasonable accommodation in this course. **Note: If the instructor determines this accommodation to be a significant alteration of the fundamental requirements of the course, please contact the student's SSD's counselor to review the assessment before finalizing with the student.**

Instructor Signature: _____ Date: _____

Key Reminders Student please initial each:

Student	
	The student is responsible for providing the Faculty Notification Letter as early in the term as possible.
	The student will not be required to present additional medical verification substantiating their disability-related absences.
	The student is responsible for missed content, lecture notes, and information presented in class the day of the absence.
	Both the student and the instructor understand that accommodations are not retroactive; instructors are not obligated to adjust previous penalties for absences.
	If the number of absences exceeds what is agreed upon in this document, the student's grade will be impacted in a way equal to other students in the course.

Student Signature: _____ Date: _____

Extension of Assignment Guidelines & Request Form

California State University, San Bernardino
Office of Services to Students with Disabilities

Guideline for Extended Time on Out-of-Class Writing Assignments

Students may be determined eligible for the accommodation of extended time on out-of-class writing assignments on a case-by-case basis under the following concurrent conditions: 1) The narrative description of substantial limitations to major life activities, and current functional limitations relating to academic performance provided in disability verification documentation indicate a need for such accommodation, and 2) discussion between SSD counselor and faculty group finds that the provision for extended time on a given writing assignment will not interfere with essential course requirements.

These guidelines are informed by the following Office for Civil Rights (OCR) letters:

- **Tulsa Community College - Metro Campus, No. 07092064 (OCR 07/22/11)**¹: Prior to entering into a resolution agreement with OCR, the College's office of disability services maintained a policy of summarily rejecting extended time on assignments as an accommodation on the grounds that "the role of postsecondary institutions is to prepare students for real-life vocations where time extensions would not likely be allowed."

OCR found that the College's denial of extended time for assignments:

Was not based on a determination that the complainant failed to provide adequate documentation showing that he was a qualified student with a disability or that his request for additional time to complete assignments was not related to his disability. In addition, there is no indication that the College made an individualized determination that the academic adjustment the complainant requested would eliminate or lower essential requirements or result in a fundamental alteration of the academic program. (p. 8)

OCR determined that the College's summary rejection of extended time on out-of-class assignments violated the student's rights under federal disability laws and regulations.

- **Bowling Green State University, No. 05982143 (OCR 08/31/99)**²: In investigating a complaint that the University denied a student's request for accommodations, including a request for "report writing accommodations, including additional time (one extra day) to write reports," OCR outlined the elements of an essential requirements analysis as including the following:
 - a.) The decision is made by a group of people who are trained, knowledgeable and experienced in the area;
 - b.) the decision makers consider a series of alternatives as essential requirements; and,
 - c.) the decision should be a careful, thoughtful and rational review of the academic program and its requirements.
 - d.) carefully consider whether appropriate alternatives are available, including a consideration of feasibility and cost;

¹ http://dspssolutions.org/media/259379/tulsa_community_college_ocr_letter.pdf

² <http://www.southwestada.org/html/topical/FAPSI/OCR/bowlinggreen.html>

- e.) determine if the essential requirement in question cannot be modified for a specific disabled student; and,
- f.) ensure that the determination is not based only on the past tradition of the institution, such as an assertion that we have "always" done this or required this, without a valid basis for the determination.

The requested modifications should not lower academic standards or require substantial alteration of the program. A requirement may be essential but the institution should consider if a disabled student could meet the required aspects of the requirement with modifications or academic adjustments. The institution should focus on the underlying reason for the requirement, and whether an appropriate alternative is available that meets the underlying reason for the requirement. (p. 7)

Regarding report writing accommodations, the University argued, and OCR concurred that time for completing reports was an essential requirement in some settings, while not an essential requirement in others. In its settlement agreement, the University indicated that it would implement an essential requirements analysis, whereby:

If the University determines that the time for completing reports for that clinical setting is an essential requirement, the University will provide OCR with a report documenting the process for the decision and explaining the determination. If the University determines that the time for completing reports for that clinical setting is not an essential requirement, the University will provide Student with effective academic adjustments for his disability unless the academic adjustment would constitute a fundamental alteration of the program or an undue burden. (p. 11)

- **Finlandia University, No. 15142914 (OCR 05/30/14)**³: Prior to entering into a resolution agreement with OCR, the University's office of disability services provided as an accommodation "Extended time on assignments: The student is entitled to extended time up to one week if necessary."

Per the resolution agreement, the University agreed to delete language referencing a one-week time limit for the accommodation from its policies and procedures "to ensure that students with disabilities are provided the academic adjustments that they require because of their disability and are not limited by arbitrary rules. (p. 3)

- **Laney College, No. 09122317 (OCR 02/18/14)**⁴: In investigating Student's complaint that faculty had not provided accommodations approved by the College's office of disability services, including "Extended time on written assignments (generally one extra class session)," OCR found that the Student's "failure to timely submit the class project was not the result of the complainant not receiving the accommodation, but instead, was the result of complainant's suspension from school which was unrelated to her disability" (p. 7). However, even while dismissing the specific complaint regarding extended time on written assignments, OCR suggested that the totality of the Student's allegations were related to a lack of clearly stated and accessible procedures on the part of the College, stating:

The College needs a more robust Section 504 plan that clearly spells out, and provides notice to students, of the (office of disability services) process for how to

³ <http://www2.ed.gov/about/offices/list/ocr/docs/investigations/more/15142014-b.pdf>

⁴ <http://www2.ed.gov/about/offices/list/ocr/docs/investigations/more/09122317-a.pdf>

request accommodations, how the College will coordinate with faculty to implement approved accommodations, how students can challenge or appeal the College's decisions regarding accommodations, and how the College will resolve concerns about whether an accommodation would result in a fundamental alteration of a course content. (p. 8)

Additionally, as several of the Student's accommodations were characterized by the office of disability services as subject to "instructor approval," OCR offered the following recommendation:

OCR strongly cautions the College against continuing this practice of approving accommodations subject to instructor approval. It is (the office of disability services') function to approve accommodations with certainty, based on documentation provided by the student...OCR notes that instructors may not unilaterally decide to not provide an approved accommodation because they believe the student does not need it or that it would result in a fundamental alteration of essential course content. The College should have procedures in place for how instructors can raise concerns about an approved accommodation and how it will address the instructors' concerns. (p. 7)

Based on the above OCR letters and review of procedures adopted by other institutions,⁵ it is recommended that extended time on out-of-class writing assignments be an accommodation provided by SSD on a case-by-case basis through a deliberative process that includes the following procedures:

1. Students eligible for extended time on out-of-class writing assignments submit a completed Extension of Assignment Deadlines Agreement Form (see Addendum) within 5 working days of first class after determination of eligibility.
2. In the event that student and faculty are not able to complete Extension of Assignment Deadlines Agreement Form, SSD contact's student instructor to determine the maximum extension that can be given without compromising the essential requirements of the course.
3. If it is determined that extending assignment deadlines compromises essential course requirements, faculty group, including student's instructor and department chair, will document and provide written summary of such determination to student and SSD within 5 working days of initial contact from SSD.

⁵ See Oregon State University, <http://ds.oregonstate.edu/files/documents/assignmentpolicy.pdf>



Extension of Assignment Due Date Request Form

Student Name: _____ Term: _____ 20_____

Coyote ID: _____ CSUSB Email: _____@coyote.csusb.edu

Phone: _____ Check One: Home Work Cell

1. It is **MY** responsibility to discuss extension of assignment due dates with my instructor and submit this request to SSD five (5) business days after the first class, following determination of eligibility. Exceptions will be handled on a case-by-case basis.
2. It is **MY** responsibility to ensure this form is filled out completely and correctly. The lack of any pertinent information may impact SSD's ability to ensure the provision of accommodation.
3. It is **MY** responsibility to adhere to, and complete work within the agreed upon alternate timeframe.
4. I am aware that eligibility for extension of assignment due dates does not guarantee due date extensions for all assignments, given that such extensions may alter a course's essential requirements.
5. I am aware I am authorizing SSD to release information related to my accommodations for coordination of extension of assignment deadlines. Persons may include faculty, departmental staff, and SSD.

I have read and agree to the above responsibilities and statements.

Student Signature: _____ Date: _____

Course Number & Section: _____ Course Registration No: _____

Days/Time: _____ Location: _____ Instructor: _____

Office Location: _____ Department Location: _____ Office Hours: _____

Instructor Email: _____@csusb.edu

Information for the Instructor:

If assignment due dates are extended:

1. I verify that the original and alternate due dates below are correct and complete.

If assignment due dates are not extended, either partially or in total:

1. I have discussed with the student how due date extensions alter essential course requirements.
2. I will be contacted by SSD to discuss how due date extensions alter essential course requirements.

Original Due Dates:

Alternate Due Dates:

1. _____
2. _____
3. _____
4. _____

1. _____
2. _____
3. _____
4. _____

Instructor Signature: _____ Date: _____

Remote Instruction Request Form



RESPECT • ABILITY • ACCESS • DIGNITY

Remote Instruction Request Form

Student Name: _____ Term: _____ 20_____

Coyote ID: _____ CSUSB Email: _____@coyote.csusb.edu

Phone: _____ Check One: Home Work Cell

1. It is **MY** responsibility to submit the completed request form at least thirty (30) days prior to the start of the term. Exceptions are handled on a case-by-case basis.
2. It is **MY** responsibility to ensure this form is filled out completely and correctly. The lack of any pertinent information may impact SSD's ability to ensure the provision of accommodation.
3. I am aware that eligibility for remote instruction for one class does not guarantee remote instruction for all classes, given that remote instruction could alter fundamental course requirements.
4. I understand that I will need to meet with my disability counselor and engage in an interactive process to determine eligibility for this accommodation and provide documentation that supports my request.
5. I am aware I am authorizing SSD to release information related to my accommodations for coordination of remote instruction. Persons may include faculty, departmental staff, and SSD.
6. It is **MY** responsibility to log into class via Zoom and if I fail to log in within twenty (20) minutes of class starting, the class aide will log off.

I have read and agree to the above responsibilities and statements.

Student Signature: _____ Date: _____

Course Number & Section: _____ Course Registration No: _____

Days/Time: _____ Location: _____ Instructor: _____

Office Location: _____ Department Location: _____ Office Hours: _____

Instructor Email: _____@csusb.edu

Information for the Instructor:

If remote instruction is approved for the course:

1. I verify that remote instruction will not alter fundamental or core requirements of the course.
2. SSD will have a class aide present in the class so that a Zoom room can be created for the student to log into. In the event the professor has the ability to create a Zoom room for the student, a class aide will not be used.

If remote instruction is not approved, either partially or in total:

1. I have discussed and provided rationale to SSD how remote instruction will alter essential course requirements.

Instructor Signature: _____ Date: _____