



**Walla Walla Community College**  
*Disability Support Services*

# **Your Guide to Equitable Access**

**DSS Procedural Manual**



*Figure 1: Students in caps and gowns, graduating*

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## Mission Statement

The primary mission of Disability Support Services is to ensure equal access for students with disabilities to all curricular opportunities and college sponsored events offered by Walla Walla Community College.

## Welcome to Walla Walla Community College!



*Figure 2: The Dome, Sports Complex building on WWCC Campus*

### OUR COMMITMENT TO STUDENTS WITH DISABILITIES:

**Walla Walla Community College is a community of diverse learners. WWCC is committed to provide access and promote an atmosphere conducive to academic success for all who can benefit from post-secondary education. This includes providing accommodations to WWCC students with disabilities who are otherwise qualified to enroll in courses.**

**WWCC complies with the Americans with Disability Act, the ADA Amendment Act, and Section 504 of the Rehabilitation Act, all of which prohibit discrimination on the basis of a disability.**

## What is Disability Support Services (DSS)?

The Disability Support Services office provides leadership in the development and delivery of services for students with disabilities in accordance with state and federal regulations, and institutional guidelines.

The Disability Support Services Coordinator will also assist in policy and process improvements, including advising the campus community about ADA, Section 504 compliance, and best practices for disability services in higher education.

The DSS office serves as the first point of contact for information concerning the request process for disability support services and the documentation requirements to receive services.

DSS advocates for students with disabilities, including education of colleagues throughout the campus community and the general public about disability issues and access to education.

DSS assists faculty and staff with plans for implementing processes for accommodation, including troubleshooting and resolving issues related to instruction.



*Figure 3: Students sitting around visiting and laughing*

## Important Differences: High School and College Disability Services

	High School	College
<b>Applicable Laws</b>	IDEA Section 504 (D) Rehabilitation Act	ADA (ADAAA) Section 504 (E) Rehabilitation Act
<b>Required Documentation</b>	Individual Education Plan. School provides evaluation at no cost to the student. School conducts evaluations at prescribed intervals.	Varies depending on the disability. IEP and 504 Plans are not always sufficient; must include the testing on which the requested accommodations are based. Student responsible for obtaining evaluation. Student generally is not required to be re-tested after initial documentation approval unless additional accommodations warrant more documentation.
<b>Student Role</b>	Student is identified and supported by parents and teachers Primary responsibility for accommodations belongs to the school	Student must self-identify at designated office Primary responsibility for accommodations belongs to the student
<b>Parent Role</b>	Parent has access to student's records and participates in accommodation process Parent advocates for the student	Parent does not have access to disability-related records unless student provides written consent Student advocates for self
<b>Curriculum and Instruction</b>	Many schools modify curriculum and/or alter the pace of assignments Use multi-sensory approach Weekly testing, mid-term, final, and graded assignments Attendance taken and reported	Faculty not required to modify curriculum Student tends to rely on lecture. May or may not use multi-sensory approach Student is responsible for attending class
<b>Grades</b>	Some schools modify tests Grades may be modified based on the quality of the curriculum	Grades reflect the work submitted



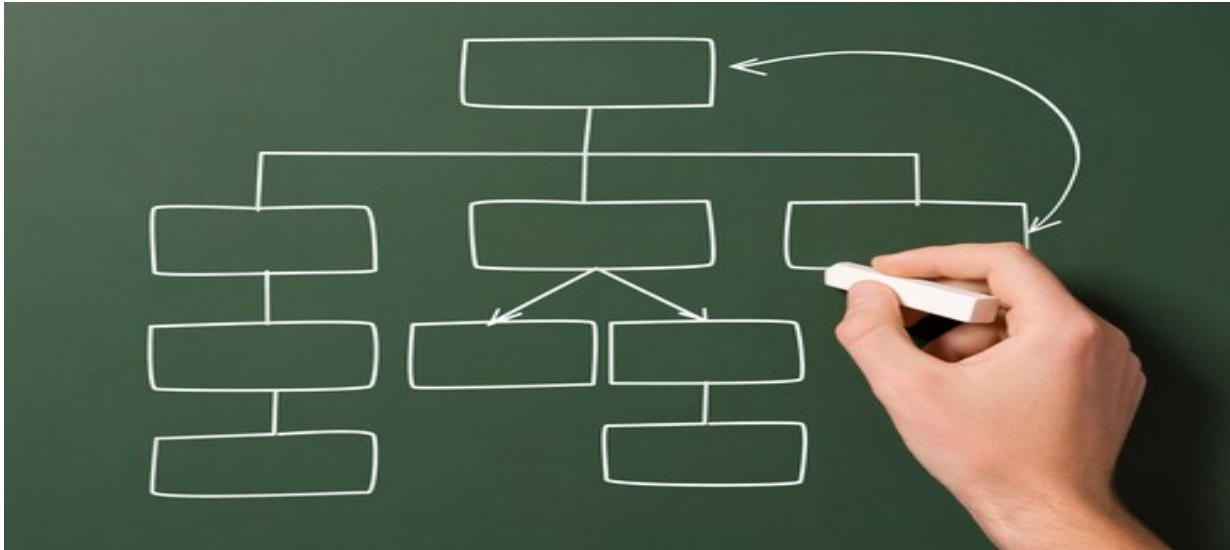


Figure 4: A blackboard and a person's hand with chalk drawing a complex diagram

## What is the process to receive Disability Accommodations?

You must identify yourself as a student with a disability to the Coordinator of Disability Support Services and provide information regarding the functional limitation of your disability in regard to the educational setting.

Complete an accommodations request form.

Provide supporting documentation that addresses your disability and how the disability substantially limits your access to the educational environment.

Allow 1-2 weeks for review of your Request and supporting documentation.

Meet with the Coordinator of Disability Support Services who will review the information and suggest accommodations based on your request, the information you provide during the interview process, supporting documentation you submit and your educational pursuits and courses. Accommodations are individually determined through a collaborative process each quarter. Accommodations can take up to 6 weeks to put into place.

Once accommodations have been determined for a course, a letter is issued to the instructor listing the accommodations.

The student will contact the instructor and discuss how the accommodations will be implemented. If requested, the Coordinator of Disability Support Services will meet with the faculty member and student to determine a feasible way to provide the accommodation.

Students are encouraged to make an appointment with the Coordinator of DSS before the beginning of each quarter and at any time there is a concern about an accommodation.

## What are some services a student with disabilities could expect?

1. Flexible procedures in the admissions process that use a holistic review of the student's potential, including appropriate consideration in statewide and institutional alternative admissions programs;
2. Sign language, oral and tactile interpreter services, or other technological alternatives;
3. Textbooks and other educational materials in alternative media, including, but not limited to, large print, braille, electronic format, and audiotape;
4. Provision of readers, notetakers, and scribes, including recruitment, training, and coordination;
5. Ongoing review and coordination of efforts to improve campus accessibility, including but not limited to, all aspects of barrier-free design, signage, high-contrast identification of hazards of mobility barriers, maintenance of access during construction, snow and ice clearance, and adequate disability parking for all facilities;
6. Facilitation of physical access including, but not limited to, relocating of classes, activities, and services to accessible facilities and orientation if route of travel needs change, such as at the beginning of a quarter or semester;
7. Access to adaptive equipment including, but not limited to, TDDs, FM communicators, closed caption devices, low-vision reading aids, photocopy machines able to use eleven-by-seventeen inch paper, raised edge printing devices, and computer enhancements;
8. Referral to appropriate on-campus and off-campus resources, services, and agencies;
9. Release of syllabi, study guides, and other appropriate instructor-produced materials in advance of general distribution, and access beyond the regular classroom session to slides, films, overheads and other media and taping of lectures;
10. Accessibility for students with disabilities to tutoring, counseling, and academic advising that are available on campus;
11. Flexibility in test taking arrangements;
12. Referral to the appropriate entity for diagnostic assessment and documentation of the disability, as available locally;
13. Notification of the institution of higher education's policy of nondiscrimination on the basis of disability and of steps the student may take if he or she believes discrimination has taken place. This notice shall be included in all formal correspondence that communicates decisions or policies adversely affecting the student's status or rights with the institution of higher education. This notice shall include the phone numbers of the United States department of education, the United States office of civil rights, and the Washington state human rights commission.

## LETTERS OF INTRODUCTION AND ACCOMMODATION

Letters are prepared for each instructor indicating the accommodations issued for the quarter. Accommodations are detailed, defined, and identify the lead person for implementation. Specific details about a student's disability is not disclosed to the instructor unless written permission is received from the student. The Coordinator and the student sign and date the document. Copies of the letter are sent electronically to the instructor, the student, and the Testing Center (if needed). The student is encouraged to meet with the instructor at a mutually convenient and private time, usually during the instructor's office hours, to discuss the accommodations. The Coordinator offers assistance to attend with the student or be available if questions about implementing the accommodation arise.

### Accommodations for Individuals with Temporary Disabilities

There are instances in which a disabling condition may be temporary. Examples of Temporary Disabilities include, but are not limited to: concussion, broken bones, surgery, and medical conditions associated with Pregnancy. The DSS process and documentation requirements are the same as with permanent disabilities.

## ACCOMMODATIONS

Accommodations will be listed on Letters of Accommodation that are issued to instructors and will be provided in a timely manner. The reasonable accommodations listed on the Letters are approved through DSS and directly linked to a documented disability. Dependent upon the accommodation type, the instructor or the DSS Coordinator will be responsible for implementing the issued accommodations. The DSS Coordinator will respond to concerns expressed by instructors or students. Students will work with instructors with regard to implementing accommodations, but should not be put in a position to negotiate accommodations. If instructors have issues of concerns, those should be directed to the DSS Coordinator, not to the student. Accommodations are not retroactive and start when the instructor receives the letter. Accommodations can take up to 6 weeks for successful implementation. It is for this reason that DSS recommends initiating or renewing accommodations prior to the start of the quarter for which accommodations are needed.

Accommodations are specific to the qualifying condition. Some examples of common accommodations are detailed below.

### Reduced Distraction Environment for testing (exams & quizzes)

This accommodation is provided through the Testing Center. A reduced distraction environment means that the student needs to take the exam in an area that is reasonably quiet with low stimuli. The environment doesn't need to be a silent private setting. The environment can include taking the test with other students and the room chosen must allow for students to start and finish their exams with limited interruptions. Tools that may help further reduce distractions for students, and that can be included in the testing accommodation are noise cancelling headsets, ear plugs, study carrels, etc. and will be provided by the Testing Center.



### Private Room

This accommodation is provided through the Testing Center. A private room accommodation means that the student takes the exam/quiz in a reasonably quiet room with low stimuli, on their own (unless a reader, scribe, or proctor is required).

### Extended time for exams/quizzes

This accommodation is provided through the Testing Center, or by instructors through the Moderate Quiz function in Canvas. Students who have the accommodation of extra time on tests/quizzes should receive extra time on any test/quiz intended to be completed in a single session and is graded such as; quizzes, pop quizzes, exams, midterms and finals. The additional time is calculated from the total amount of time given to the class to take the test/quiz.

### Scribe for exams

This accommodation is provided through the Testing Center. A scribe is a person who writes down, or otherwise records, the test-taker's responses. The scribe does not create answers for the test-taker or help the test-taker identify correct answers. The scribe simply writes the test-taker's answers down on the test or answer sheet.

### Reader for exams

This accommodation is provided through the Testing Center. A reader is a person who reads the test to the test-taker. This person should be familiar with the terminology or language used on the test. A reader does not interpret, re-word, or explain the test. A reader reads the test directions, questions, and answer choices to the test-taker.

### Alternate test format

This accommodation is provided through the Testing Center. Specific to each student, this accommodation allows an alternate to the testing format provide other students and is directly related to the student's disabling condition. This may include paper tests, use of word processor (computer) for essay exams, oral testing procedure, or no Scantron sheets (bubble sheets).

### Use of 4-function calculator

This accommodation is provided through the Testing Center. The student may use a basic (4-function) calculator for quizzes and exams.

### Assistive technology

This accommodation is approved and provided by DSS. Assistive technology includes hardware such as an adapted mouse, large monitor, laptop, or adapted keyboard. This accommodation also includes software such as voice input/output, scanners, and text readers. These devices and technology assist people with disabilities and allow for equitable access to learning.

### Closed Captioning

This accommodation is approved by DSS and provided by the instructor. Closed captioning is critical for a student receiving this accommodation. Regardless of whether the class is online or in a classroom, a student who receives this accommodation needs closed captioning of all films, DVDs, or video clips.

### PowerPoint Slides and/or Lecture Notes

This accommodation is approved by DSS and provided by the instructor. PowerPoint Slides will be forwarded electronically to the student prior to each class session. This accommodation is required to allow equitable access for a student with a disabling condition, and is a reasonable accommodation as outlined in RCW 28B.10.916.

### Note taker

This accommodation is provided through collaborative efforts by DSS and instructors. Volunteer Note Takers provide copies of their notes, allowing students to fill in details in their own notes that might have been missed due to the effects of a disability. **Instructors:** During the first class period after receipt of the accommodation request, will read, post, or email the *Note Taker Request Procedure script* to the class for which a Note Taker is required. The instructor will refer or recommend a possible Note Taker to DSS within one week. **DSS Coordinator:** If a Volunteer Note Taker has not been identified within one week, the DSS coordinator will visit the class and offer additional incentives for a Volunteer Note Taker. If no Volunteer is identified, a staff member will be assigned to be the Note Taker. During the one week interim, reasonable replacement accommodations will be provided (iPad, Speech-to-Text software, Lecture Notes, Recording Device). **Student:** If the student has not been informed by DSS within one week that a Note Taker has been assigned, they agree to contact DSS. The student must take their own class notes, to the extent possible. Notes provided to the student by a Volunteer Note Taker are meant to be supplemental to the student's own notes and are only provided on days the student is present in class, unless they have an excused, disability-related absence.

**Volunteer Note Taker:** Once a Volunteer Note Taker (VNT) is identified they will meet with DSS and complete the *Note Taker Agreement form*, receive the initial note taking training, and either sign up to participate in a one credit Peer Note Taking course (EDPD 191 Item # 1098) or receive a gift certificate to the book store at the end of the quarter. The online VNT training can be found on Canvas at <http://wwcc.instructure.com/enroll/APPG39>. The VNT is asked to complete the training as soon as possible and contact the Coordinator if there are any questions.

The VNT can use the NCR paper provided by the DSS Office, providing a copy of the notes to the instructor after each lecture. The VNT is asked to only share a copy of their class notes, in the usual manner they take notes. VNTs are not asked or required to type or improve notes in any way. Once the notes copy is given to the instructor, the instructor gives the copy of notes to the student with accommodations, or emails a copy to the student. Other options for providing notes is to use the department copier, email notes directly to the student (if agreed to by the student with disabilities), or give notes to the Coordinator to be scanned into a searchable PDF.

VNTs do not provide individual scribing or visual interpreting. For students who require those services a person is hired.

### Disability related absences

This accommodation is approved by DSS and is necessary due to the documented effects of the student's disability. Students with this accommodation have disabilities which are episodic in nature and may impact their participation in class. The accommodation can be implemented differently in each course as the essential elements and design of a course have to be taken into

consideration. To determine the specific course parameters the attached ***Disability Related Absences Agreement*** document must be completed and signed by both the faculty and student as soon as possible.

#### Audio recording class lectures and discussions

Permission to Audio Record Lectures and Classroom Discussions is an accommodation approved by DSS. Digital audio recorders are loaned through DSS, if needed by the student. Students approved for this accommodation may also use their own recording device. This accommodation allows students with disabilities equitable access to lecture content. The student agrees to not share any course recordings, and acknowledges that the recordings are solely for their personal educational use. Should the instructor have any concerns about confidential discussions, they must contact DSS.

#### Verbal instructions provided for assignments

This accommodation is approved by DSS and provided by the instructor. Verbal instructions provided for assignments is an accommodation that supplements and enhances written instructions. This accommodation serves to fill in details about the student's understanding of written instructions for an assignment.

#### Written instructions provided for assignments

This accommodation is approved by DSS and provided by the instructor. Written instructions for assignments is an accommodation that supplements and enhances verbal instructions. This accommodation serves to fill in details about a student's understanding of the verbal instructions for an assignment.

#### Large print materials: Font size \_\_\_\_\_

This accommodation is approved by DSS and provided collaboratively by DSS and instructors. Upon receipt of this accommodation, all print materials must be formatted and printed in the font size specified. If the instructor is unable to print the materials, digital documents must be immediately sent to DSS for formatting and printing. It is important that this process be timely so as to afford the student equitable access to all class materials.

#### Alternate text

This accommodation is provided by DSS. The alternate text format accommodation provides students with print-related disabilities access to course materials and textbooks. Some examples of alternate text formats include large print, electronic formats, audio, and braille. Often students with this accommodation use electronic files of their textbooks and other course materials with a text to speech component on personal computers, to listen to the reading material. Successfully using this accommodation can enable students to cut down on their reading time and increase their comprehension.

#### Adaptive furniture and equipment

Accessible furniture and preferential seating in Classrooms is an accommodation approved by DSS so students with disabilities can have equal access to campus classrooms and course content. The student may fill out a request form or agreement of use and return for adaptive furniture and equipment. Examples of furniture/equipment that may be requested and/or placed

in classrooms are magnification monitors, adjustable height tables, padded & adjustable chairs, stools, and podiums for those that need to stand. Placement of furniture into classrooms is done in partnership with DSS and facilities.

#### Preferential seating

This accommodation is approved by DSS and may involve collaboration with the instructor. Preferential seating is used by students to reduce distraction, increase access to visual material presented in class, allow for specialized equipment, or increase access to exits. Reserved seating will be indicated by a placard, placed by DSS at a specific location in the classroom.

#### Flexibility to leave class session for short periods and return

This accommodation is approved by DSS. The student may sit near an exit to avoid distracting the class, but should be allowed to leave class and return at any time. The use of this accommodation will likely be unpredictable. It is necessary to allow for equitable access to the course and learning.

#### Medical Disability that may require intervention

This accommodation is approved by DSS and implemented by the instructor and/or student. The **Medical Protocol** form must be completed by the student and a copy will be held with the VP of Student Affairs. Instructors: Should you notice symptoms of: \_\_\_\_\_, please call 911.

#### Interpreter

This accommodation is approved and provided by DSS. A student who receives this accommodation may use an in-person or video interpreter for all course content and discussions.

#### Services Animals

Service animals (RCW 49.60.040) are allowed on campus as would any other type of access device such as a wheelchair or cane. The animal is not required to wear a vest that indicates the dog is a service animal nor is the handler required to register the animal with someone on campus. The handler may be asked if the animal is required because of a disability and to explain what task the animal is trained to perform so the animal is not impeded by the environment to perform the task. Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls. Care and control of the animal's behavior is the responsibility of the handler. Service animals are working when in use and should not be approached for petting or other types of interaction typical with pets. Health and safety concerns, in a few specific circumstances, may justify restricting the use of a service animal.

Additional information can be found at the following links:

[http://www.ada.gov/service\\_animals\\_2010.htm](http://www.ada.gov/service_animals_2010.htm)

<http://app.leg.wa.gov/rcw/default.aspx?cite=49.60.218>

<http://apps.leg.wa.gov/wac/default.aspx?cite=162-26-135>

<https://adata.org/publication/service-animals-booklet>

<http://scholarship.law.missouri.edu/cgi/viewcontent.cgi?article=1288&context=mlr>

### Emotional support animals

Although Service Animals are allowed in public spaces, ESAs are not. Public spaces include libraries, classrooms, campus dining halls, restaurants, grocery stores and many other places.

If a student's doctor has stated that the student requires an ESA as part of a treatment plan for a diagnosed mental condition, then colleges are required to allow that ESA to live on campus. But colleges are not required to allow ESAs to go anywhere apart from the disabled student's own residential building or living space. Because WWCC does not offer residential facilities, ESAs are not allowed on campus.

### EQUIPMENT AVAILABLE FOR USE ON CAMPUS

Although the student can request specialized equipment as an accommodation, there are several options for equipment use on campus.

#### Computer Software and Equipment

Computers with specialized software are available in lap top version and on some computers campus computer labs.

Zoomtext, JAWS, Natural Reader, Dragon Naturally Speaking, Math Talk are available on lap tops for campus use only

#### Access Room in the Library

- Magnification software, Open Book and Pearl Scanner, JAWS, Dragon Naturally Speaking Davinci magnification/reader
- Adjustable table

#### Computer Labs

##### **Computer Lab 246**

- Large monitor
- Adjustable table

##### **Computer Lab 332**

- Zoomtext
- Large monitor (property of DSS)
- Adjustable table

##### **Computer Lab 1204**

- Adjustable table



## Sources for Alternate Formatting of Textbooks

### *Learning Ally*

Learning Ally is a non profit organization that produces audio books for children and adults who are print challenged or physically unable to manage hardback books. The paid membership allows for a certain number of student memberships. Students can request an unlimited number of books with the membership. The Coordinator enrolls and certifies the student's membership online and assists the student in acquiring the application for the student's phone or computer. iPods are available to be checked out to the student to use for this purpose.

### *Access Text*

Access Text is a clearing house for textbooks the publishers provide for students who have disabilities. The Coordinator will set up an account using a valid email because communication and files are sent by email notice.

### *Bookshare*

Bookshare is a depository for K-12 books and has few textbooks for higher education. It is increasing its selection so may have more textbooks available in the future.

### *WWCC Library*

The library has a selection of books in audio format. Textbooks used in literature courses can often be found in the library collection. The Coordinator assists the student in acquiring required books.

### *Braille Conversion*

Braille conversion of textbooks and/or tactile graphs and charts requires advance notice. Several options may be explored. Commonly used resources include: The Ogden Resource Center, Central Washington University and collaboration with the Division of the Services of the Blind.

## Know the law, know your rights

It is important to know the law in order to protect your rights. Walla Walla Community College follows Federal and State laws, many of which are listed below. If you believe that your rights have been violated, or you have met with discrimination due to disability, you can follow the Grievance Procedure listed in section \_\_\_\_\_.

### AMERICANS WITH DISABILITIES ACT (ADA)

The ADA prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress.

To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.

### ADA TITLE II: STATE AND LOCAL GOVERNMENT ACTIVITIES

Title II covers all activities of State and local governments regardless of the government entity's size or receipt of Federal funding. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings).

State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided.

### ADA AMENDMENTS ACT OF 2008

On September 25, 2008, the President signed the Americans with Disabilities Act Amendments Act of 2008 ("ADA Amendments Act" or "Act"). The Act emphasizes that the definition of disability should be construed in favor of broad coverage of individuals to the maximum extent permitted by the terms of the ADA and generally shall not require extensive analysis.

The Act makes important changes to the definition of the term "disability" by rejecting the holdings in several Supreme Court decisions and portions of EEOC's 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.

[Text of the ADA](https://www.eeoc.gov/laws/statutes/adaaa.cfm) (https://www.eeoc.gov/laws/statutes/adaaa.cfm)

## THE REHABILITATION ACT

The Rehabilitation Act prohibits discrimination on the basis of disability in programs conducted by Federal agencies, in programs receiving Federal financial assistance, in Federal employment, and in the employment practices of Federal contractors. The standards for determining employment discrimination under the Rehabilitation Act are the same as those used in title I of the Americans with Disabilities Act.

## SECTION 504

Section 504 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.

## TITLE IX

Title IX of the Education Amendments of 1972 ("Title IX"), 20 U.S.C. §1681 *et seq.*, is a Federal civil rights law that prohibits discrimination on the basis of sex—including pregnancy and parental status—in educational programs and activities.

All public and private schools, school districts, colleges, and universities receiving any Federal funds ("schools") must comply with Title IX.

Temporary Disability Accommodations are provided for pregnant and parenting students, following the same procedures as for any other accommodation request.

Please see more complete information about your rights under Title IX at the following links:

<https://www2.ed.gov/about/offices/list/ocr/docs/dcl-know-rights-201306-title-ix.html>

[https://www1.eeoc.gov/laws/guidance/pregnancy\\_qa.cfm?renderforprint=1](https://www1.eeoc.gov/laws/guidance/pregnancy_qa.cfm?renderforprint=1)

<https://www.dol.gov/oasam/regs/statutes/titleix.htm>

## REVISED CODE OF WASHINGTON (RCW)

These are the Washington State laws that apply to disability access and services.

### RCW 28B.10.910

#### **Students with disabilities – Core services**

Each student with one or more disabilities is entitled to receive a core service only if the service is reasonably needed to accommodate the student's disabilities. The requesting student shall make a reasonable request for core services in a timely manner and the institution of higher education or agency providing the service shall respond reasonably and in a timely manner.



Figure 5: A quadrant picture depicting a person in a wheelchair, a brain, sign language, and a person walking with a cane

#### RCW 28B.10.912

##### **Student with disabilities – Core services described – Notice of nondiscrimination**

Each institution of higher education shall ensure that students with disabilities are reasonably accommodated within that institution. The institution of higher education shall provide students with disabilities with the appropriate core service or services necessary to ensure equal access. (the itemized list can be found in this document, on page 7)

#### RCW 28B.10.914

##### **Students with disabilities - Accommodation**

Reasonable accommodation for students with disabilities shall be provided as appropriate for all aspects of college and university life, including but not limited to: Recruitment, the application process, enrollment, registration, financial aid, coursework, research, academic counseling, housing programs owned or operated by the institution of higher education, and nonacademic programs and services.

#### RCW 28B.10.916

##### **Supplemental instructional materials for students with print access disability**

1. An individual, firm, partnership or corporation that publishes or manufactures instructional materials for students attending any public or private institution of higher education in the state of Washington shall provide to the public or private institution of higher education, for use by students attending the institution, any instructional material in an electronic format mutually agreed upon by the publisher or manufacturer and the public or private institution of higher education. Computer files or electronic versions of printed instructional materials shall be provided; video materials must be captioned or accompanied by transcriptions of spoken text; and audio materials must be accompanied by transcriptions. These supplemental materials shall be provided to the public or private

institution of higher education at no additional cost and in a timely manner, upon receipt of a written request as provided in subsection (2) of this section.

2. A written request for supplemental materials must:
  - a. Certify that a student with a print access disability attending or registered to attend a public or participating private institution of higher education has purchased the instructional material or the public or private institution of higher education has purchased the instructional material for use by a student with a print access disability;
  - b. Certify that the student has a print access disability that substantially prevents him or her from using standard instructional materials;
  - c. Certify that the instructional material is for use by the student in connection with a course in which he or she is registered or enrolled at the public or private institution of higher education; and
  - d. Be signed by the coordinator of services for students with disabilities at the public or private institution of higher education or by the college or campus official responsible for monitoring compliance with the Americans with disabilities act of 1990 (42 U.S.C. 12101 et seq.) at the public or private institution of higher education.
3. An individual, firm, partnership or corporation specified in subsection (1) of this section may also require that, in addition to the requirements in subsection (2) of this section, the request include a statement signed by the student agreeing to both of the following:
  - a. He or she will use the instructional material provided in specialized format solely for his or her own educational purposes; and
  - b. He or she will not copy or duplicate the instructional material provided in specialized format for use by others.
4. A public or private institution of higher education that provides a specialized format version of instructional material pursuant to this section may not require that the student return the specialized format version of the instructional material, except that if the institution has determined that it is not required to allow the student to retain the material under the Americans with disabilities act or other applicable laws, and the material was translated or transcribed into a specialized format at the expense of the institution and the cost to reproduce a copy of the translation or transcription is greater than one hundred dollars, the institution may require that the student return the specialized format version.
5. If a public or private institution of higher education provides a student with the specialized format version of an instructional material, the media must be copy-protected or the public or private institution of higher education shall take other reasonable precautions to ensure that students do not copy or distribute specialized format versions of instructional materials in violation of the copyright revision act of 1976, as amended (17 U.S.C. Sec. 101 et seq.).
6. For purposes of this section:
  - a. "Instructional material or materials" means textbooks and other materials that are required or essential to a student's success in a postsecondary course of study in which a student with a disability is enrolled. The determination of which materials are "required or essential to student success" shall be made by the instructor of the course in consultation with the official making the request in accordance with guidelines issued pursuant to subsection (10) of this section. The term specifically includes both textual and nontextual information.



- b. "Print access disability" means a condition in which a person's independent reading of, reading comprehension of, or visual access to materials is limited or reduced due to a sensory, neurological, cognitive, physical, psychiatric, or other disability recognized by state or federal law. The term is applicable, but not limited to, persons who are blind, have low vision, or have reading disorders or physical disabilities.
  - c. "Structural integrity" means all instructional material, including but not limited to the text of the material, sidebars, the table of contents, chapter headings and subheadings, footnotes, indexes, glossaries, graphs, charts, illustrations, pictures, equations, formulas, and bibliographies. Structural order of material shall be maintained. Structural elements, such as headings, lists, and tables must be identified using current markup and tools. If good faith efforts fail to produce an agreement between the publisher or manufacturer and the public or private institution of higher education, as to an electronic format that will preserve the structural integrity of instructional materials, the publisher or manufacturer shall provide the instructional material in a verified and valid HTML format and shall preserve as much of the structural integrity of the instructional materials as possible.
  - d. "Specialized format" means Braille, audio, or digital text that is exclusively for use by blind or other persons with print access disabilities.
7. Nothing in this section is to be construed to prohibit a public or private institution of higher education from assisting a student with a print access disability through the use of an electronic version of instructional material gained through this section or by transcribing or translating or arranging for the transcription or translation of the instructional material into specialized formats that provide persons with print access disabilities the ability to have increased independent access to instructional materials. If such specialized format is made, the public or private institution of higher education may share the specialized format version of the instructional material with other students with print access disabilities for whom the public or private institution of higher education is authorized to request electronic versions of instructional material. The addition of captioning to video material by a Washington public or private institution of higher education does not constitute an infringement of copyright.
8. A specialized format version of instructional materials developed at one public or private institution of higher education in Washington state may be shared for use by a student at another public or private institution of higher education in Washington state for whom the latter public or private institution of higher education is authorized to request electronic versions of instructional material.
9. Nothing in this section shall be deemed to authorize any use of instructional materials that would constitute an infringement of copyright under the copyright revision act of 1976, as amended (17 U.S.C. Sec. 101 et seq.).
10. The governing boards of public and participating private institutions of higher education in Washington state shall each adopt guidelines consistent with this section for its implementation and administration. At a minimum, the guidelines shall address all of the following:
- a. The designation of materials deemed "required or essential to student success";
  - b. The determination of the availability of technology for the conversion of materials pursuant to subsection (5) of this section and the conversion of mathematics and science materials pursuant to subsection (6)(c) of this section;

- c. The procedures and standards relating to distribution of files and materials pursuant to this section;
  - d. The guidelines shall include procedures for granting exceptions when it is determined that an individual, firm, partnership or corporation that publishes or manufactures instructional materials is not technically able to comply with the requirements of this section; and
  - e. Other matters as are deemed necessary or appropriate to carry out the purposes of this section.
11. A violation of this chapter constitutes an unfair practice under chapter 49.60 RCW, the law against discrimination. All rights and remedies under chapter 49.60 RCW, including the right to file a complaint with the human rights commission and to bring a civil action, apply.

### RCWB.10.918

#### **Disability history month – Activities**

Annually, during the month of October, each of the public institutions of higher education shall conduct or promote educational activities that provide instruction, awareness, and understanding of disability history and people with disabilities. The activities may include, but not be limited to, guest speaker presentations.

## CONFIDENTIALITY AND RELEASE OF INFORMATION

The Office of Disability Support Services (DSS) is committed to ensuring that all information and communication pertaining to a student's disability is maintained as confidential as required or permitted by law.

The following guidelines about the treatment of such information have been adopted by DSS and will be shared with students. These guidelines incorporate relevant state and federal regulations.

No one will have immediate access to student files stored in the DSS office except appropriate staff. Any information regarding a disability is considered confidential and will be shared only with others within the college who have a legitimate educational interest.

This information is protected by the Family Educational Rights and Privacy Act (FERPA).

See: <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?>

Sensitive information in the DSS student files will not be released except in accordance with federal and state laws.

A student's file may be released pursuant to a court order or subpoena.

If a student wishes to have information about a disability shared with others, the student must provide written authorization to the Coordinator of DSS to release the information. Before giving such authorization, the student should understand the purpose of the release and to whom the information is being released. The student should also understand that there may be occasions when the Coordinator will share information regarding a student's disability at his/her

discretion if circumstances necessitate the sharing of information and the Coordinator has determined that there is an appropriate legitimate educational interest involved.

A student has the right to review his/her own file.

### **RECORDS RETENTION POLICY**

Student records are retained in locked files for six years. When the last point of contact has exceeded six years, the file is placed in the confidential shred container. The FERPA law applies to all student records and communications. Refer to [CT0401.002](#)

### **GRIEVANCE PROCESS**

Students are made aware of the established grievance policy early in the accommodation process. The grievance policy is included in the Guide to Disability Support Services and available on the Disability Support Services webpage.

### **GRIEVANCE PROCEDURE Discrimination/Sexual Harassment Complaints**

Students are encouraged to resolve concerns by first contacting the Coordinator. In addition to information about the grievance policy. The policy includes contact information for the Office of Civil Rights and the Human Rights Commissions. Both resources are available for persons who want to file a complaint that involves discrimination.

The Vice President of Student Affairs serves as the College's 504 Compliance Officer. The Vice President is available to review and advise the Coordinator about circumstances involving discrimination due to a disability. Title IX complaints that involve pregnancy and disability are jointly handled by the Vice President of Human Relations, who serves as the College's Title IX Officer, and the Vice President of Student Affairs.