

**STUDENT SERVICES**

**AP 5140 DISABILITY RESOURCE CENTER (DRC)/  
DISABLED STUDENT PROGRAMS AND SERVICES (DSPS)**

**References:**

Title 5 Sections 56000 et seq.

The District maintains a plan for and a vehicle to provide programs and services to students with disabilities designed to assure that they have equality of access to District classes and programs.

This plan includes:

- long-range goals and short term objectives for the program
- definitions of disabilities and students eligible for the program
- support services and instruction that is provided
- verification of disability
- student rights and responsibilities
- student educational contract or plan that is developed by a designated person in consultation with the student
- academic accommodations
- provisions for course substitution and waivers
- staffing
- advisory committee

Under the provisions of federal and state legislation, Disability Resource Center (DRC)/Disabled Students Programs and Services (DSPS) provides special counseling, services and instruction for those with physical, learning, developmental, vision, hearing, acquired brain injuries, and communication disabilities. Post-secondary institutions shall take whatever steps necessary not to discriminate or have the effect of discrimination on the basis of handicap against a student with a disability. This prohibits the institution from denying any necessary items such as dog guides in buildings, tape recorders, or anything else that limits the student with a disability from full participation. Examinations and other auxiliary aids will be made available and flexible to fit the requirements of the student with a disability upon the student's formal request to the Office of DRC (DSPS).

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*(Replaces current Palomar College Policy 409 and Procedures 409 and 418.2)*

33 **The following is available to students with verifiable disabilities:**

- 34 • Adapted physical education
- 35 • Counseling
- 36 • Educational guidance
- 37 • English support classes
- 38 • Math support classes
- 39 • On-campus transportation
- 40 • Orientation
- 41 • Priority registration
- 42 • Reading support classes
- 43 • Instruction in personal adjustment
- 44 • Speech/language services
- 45 • Testing accommodations
- 46 • Learning disability assessment
- 47 • Adapted computer instruction
- 48 • Interpreters-for-the-deaf
- 49 • Readers
- 50 • Note takers
- 51 • Mobility assistance
- 52 • Other specially designed equipment

53 In general, the DRC (DSPA) program acts as an advocate for students with disabilities  
54 by representing their interests on campus as well as with various state and local  
55 agencies including the State Department of Rehabilitation.

56 **Degree/Certificate Requirement Change to Comply with the Americans with**  
57 **Disabilities Act of 1990**

58 The District acknowledges that a disability may preclude a student from demonstrating  
59 required competencies or from completing the requisite courses for an Associate  
60 degree or certificate in the same manner that non-disabled students are expected to.  
61 The District also recognizes its responsibility to accommodate students with  
62 documented disabilities to the greatest extent possible without compromising a disabled  
63 student's course of study as well as maintaining the standards of academic rigor relative  
64 to degree and certificate programs.

65 In order to accommodate students with documented disabilities, the District will use the  
66 following criteria in evaluating a student's request: documentation of a disability,

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evidence of the student's good-faith effort to meet the requirement, evidence that the student is otherwise qualified for success in the degree or certificate, evidence that the objectives of the course in question may be fulfilled in some other way that is consistent with the academic requirements of the program, and evidence that the request would not require a fundamental alteration to an essential component of an academic requirement.

**The following criteria will be used in evaluating a student's request:**

- Documentation of Disability with specific test scores and/or medical documentation and a description of the degree of educationally related functional limitations in the academic area under discussion and
- Evidence of the student's good-faith effort to meet the Degree/Certificate requirement such as:
  - Consistent and persistent effort in attempting course work as shown by academic transcripts
  - Regular attendance, completion of all assignments
  - Use of all appropriate and available services such as tutorial assistance or instructional support classes
  - Use of all appropriate and available academic adjustments such as test accommodations.

(Such accommodations include extended test time, provision of a quiet room for test taking, or provision of a reader.)

The student's good faith effort may also be validated in a written statement from the instructor and a DRC (DSPS) Specialist.

If a student with a documented disability can demonstrate to the DRC (DSPS) Specialist that his/her disability is of such magnitude that any attempt at completing the course would be futile, the student need not provide evidence of good faith effort as described in (B) above.

and

- Evidence that the student is otherwise qualified such as:
  - Student's success in completing course work in all other areas required for the degree or certificate
  - Success in courses that demonstrate equivalent skills to the courses under consideration
  - Success in employment.

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101 and

- 102 • Evidence that the objectives of the course in question can be met in some other  
103 way (course substitution or other.)

104 and

- 105 • Evidence that the request would not require a fundamental alteration to an  
106 essential component of an academic requirement. (“Academic requirements that  
107 the District can demonstrate are essential to the program of instruction being  
108 pursued by the students, or directly related to licensing requirements, will not be  
109 regarded as discriminatory.” Volume 34 of the Code of Federal Regulations  
110 104.44(a).)

### 111 **Documentation to be Submitted:**

112 The student shall submit all of the following to the DRC (DSPS) Director a minimum of  
113 two semesters before the proposed degree or certificate completion date:

- 114 • Completion of Section A of the Request for Degree/Certificate Requirement  
115 Change. These forms are available at DRC (DSPS) or at an Admissions  
116 counter.
- 117 • A letter written by student addressing the criteria A-E (listed above).
- 118 • Evidence from a specialist on disabilities the DRC (DSPS) or other  
119 recognized professional source) verifying the disability as it relates to  
120 student’s request.
- 121 • An informal academic evaluation by a District counselor of degree or  
122 certificate requirements which student still needs to complete.
- 123 • A current academic transcript. An informal transcript is available in  
124 Counseling.
- 125 • Documentation from instructor(s) outlining evidence of persistent and  
126 consistent effort in attempting the course.

127 or

128 documentation from a specialist on disabilities that the student’s disability is of such  
129 nature or magnitude that any attempt at completing the course would be futile.

- 130 • Documentation from instructional support faculty or staff outlining evidence of  
131 use of all appropriate and available services and academic adjustments.  
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133 The DRC (DSPS) Director will complete section B of the request and, upon receipt of  
134 items A-G, will call a meeting of a committee comprised of:

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- 135 • The Dean from the academic area(s) involved
- 136 • The DRC (DSPS) Director, or designee
- 137 • An advocate of the student's choice (non-voting)
- 138 • The department chair from the academic area(s) involved
- 139 • A representative from the Faculty Senate (preferably from the concerned
- 140 academic area.)

141 Minutes of the meeting will be taken. The Committee will review all evidence presented  
142 by the student.

143 The Committee's decision will be determined by a majority vote. In the event of a tie, the  
144 request will be referred to the Vice President for Instruction. If the Committee  
145 recommends a course substitution, the Committee will request the department for the  
146 course in question to identify appropriate course substitutions.

147 If the request for change is approved by the committee and later granted by the  
148 department for the course in question, the student must fulfill all other requirements for  
149 the associate degree or certificate.

150 Decisions that affect a transfer-level course may not be recognized by the educational  
151 institution where the student intends to transfer.

152 The committee will forward its decisions in writing to the student and Director of Student  
153 Affairs within three weeks of receiving the original completed petition.

154 If the student is dissatisfied with the committee's decision, he/she may appeal to the  
155 Vice President for Instruction. Further appeals may be made to:

156 Office of Civil Rights  
157 Coordination and Review Section  
158 Civil Rights Division  
159 U.S. Department of Justice  
160 P.O. Box 66118  
161 Washington, D.C. 20035-6118

162 Also refer to the Palomar College Catalog and class schedule

163 Offices of Primary Responsibility: Disability Resource Center (DSPS)  
164 Counseling Services

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