Q. CONFIDENTIALITY: Is the information regarding a student's disability and the need for academic adjustments confidential?

A. Yes! Instructors and teaching assistants must maintain a policy of strict confidentiality about the identity of a student with a disability, the nature of the disability and the disability-related accommodations required.

Q. How can I encourage students with disabilities to talk with me about their accommodations?

A. Announce at the beginning of a course that you are available to discuss instructional methods and appropriate course modifications with students who have disabilities. In addition, include a note to this effect on your course syllabus. For example:

For an online or hybrid course, consider this statement in your syllabus – “I have made every effort to make this course accessible to all students, including students with disabilities. If you encounter a problem accessing anything in this course, please contact me immediately by email and also contact the college's Disability Support Programs and Services (DSPS) Office.”

For a face-to-face course, include these statements in your syllabus –

- Students with disabilities who may need academic accommodations are encouraged to notify the professor within the first two weeks of instruction. All information will be kept confidential.

Q. Is it acceptable to ask a student who is having obvious difficulties whether he has a disability or to refer the student to the Disability Support Programs and Services?

A. No. It is not a good idea to ask directly about a possible disability for a couple of reasons. The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act states that a public entity may not make unnecessary inquiries into the existence of a disability. These inquiries usually relate to hiring or pre-admission screening, but when talking with students such inquiries should also be avoided. A direct inquiry such as this could also be considered intrusive or insensitive. You may simply tell the student that you notice they are having academic difficulty and encourage them to talk with you about gaining assistance, just as you would with any student.

Q. How do I know a student is qualified to receive disability-related accommodations?

A. DSPS counselor specialists provide qualified students with an "Authorized Academic Accommodations" (AAA) form. Please ask to see this form. This means a student has qualified for DSPS services. AAA forms are completed each semester and are only valid for the one semester.
By law, a student is not required to go through DSPS to receive academic adjustments and auxiliary aids. Recent verification of the disability and educational limitations are required whether or not a student chooses to use the DSPS office. If a student brings you documentation, please refer the student to the DSPS Offices in A-115.

**Q. ACCOMMODATIONS:** How do I know what a reasonable academic accommodation is?

**A.** The DSPS Counselor in collaboration with the student will determine reasonable and appropriate accommodations based upon the student's documented educational limitations. The student will bring you the Authorized Accommodation form which outlines how the appropriate accommodations will be provided. The student may also share with you accommodations that have proved successful for them in other classes. Consult with the DSPS if requests do not seem reasonable or you need clarification.

**Q. DISAGREEMENTS:** What if I do not agree with a recommended accommodation?

**A.** The institution is required by federal regulation to establish formal grievance procedures for providing prompt and equitable resolution of disagreements. When a dispute involves the conduct of a course or academic program, the SDCCD Accommodations Policy provides procedures for consultation between the faculty member responsible for the course, the student, and a DSPS faculty member within an informal resolution process. Please refer to AP 3105.1

**Q. TEST PROCTORING:** Some students with disabilities are provided accommodations for examinations and testing. Is this fair to other students?

**A.** The Rehabilitation Act and the Americans with Disabilities Act (ADA) states: "The results of an examination should accurately reflect an individual's aptitude or achievement level or whatever the test purports to measure, rather than reflecting an individual's impaired sensory, manual, or speaking skills." DSPS provides test proctoring services. These are outlined with the student during the initial intake meeting. In some cases, faculty may need to make arrangements or alterations for test and examinations.

**Q. TAPE RECORDING:** Can a faculty member forbid a student with a disability to use a tape recorder in class?

**A.** An instructor is required to allow a student to tape record the class if taping is determined to be an appropriate accommodation for a student's disability. Tape recorders are specifically mentioned in Section 504 of the Rehabilitation Act as a means of providing full participation in educational programs and activities. Occasionally, classroom discussions reveal items of a personal nature about students. If open discussions tend to reveal personal information, it would be appropriate to ask the student with a disability to turn off the tape recorder during these discussions. You can request that the student sign a Tape Recording Contract. Contact the DSPS Offices at 619-388-3513.

**Q. Do I need to modify my typical grading process for someone with a psychiatric or intellectual disability?**

**A.** Giving a student academic adjustment does not affect the grading process. An adjustment might involve altering the form of an evaluation. For example, you might give an exam verbally instead of on paper or you might change the format from multiple-choice to essay. Otherwise students are required to meet all academic standards regardless of disability.

**Q. May I fail a student with a disability?**

**A.** Yes. It is possible to fail a student with a disability. The laws mandate access to education, not guaranteed academic success. When a faculty member has provided reasonable academic accommodations and the student does not meet the class requirements, failing a student is proper and lawful.

**COLLEGE/INSTITUTION RESPONSIBILITY**

The College is responsible to make modifications to academic requirements and practices to ensure it does not discriminate against students with disabilities. However, instructors are not required to make fundamental alterations to their courses/standards. Consult with a DSPS Counselor Specialist if you have questions.