SUBJECT: Policy and Procedures for Verifying Student Disabilities, Determining Services, Accommodations, and Academic Adjustments, Declination of Services, and Appeal Procedures.

**HSU Student Disability Resource Center (SDRC) Policy & Procedure for Verification of Student Disability**

In accordance with the California State University Policy for the Provision of Accommodations and Support Services to Students with Disabilities (AA 2002-35, July 1, 2002 – complete CSU policy attached), the following serves as guidelines for the process of the HSU SDRC Director/designee in verifying student disabilities, determining services, accommodations and academic adjustments, and declining services. Additionally, this includes student appeal procedures.

I. **Authority to determine disability status:** “The campus director or designee of the Student Disability Resource Center (SDRC) shall have the ultimate authority to determine disability status, and the decision shall be subject to the provisions below and to established appeal procedures.” Designees determined by the director include the SDRC Student Services Professionals (Counselor/Disability Specialist, Learning Disability Resource Specialist, Learning Disability Psychologist).

II. **Transfer students with disability status:** A student who has transferred and received services from a California Community College, the University of California, or any other regionally accredited postsecondary institution as a student with a disability may be eligible for academic accommodations or support services at a California State University campus providing appropriate documentation is received verifying the disability by the criteria used by the CSU. The SDRC director or designee shall have ultimate authority to determine disability status, subject to established appeal procedures.

III. **Documentation of disability:** “The student shall provide appropriate documentation from a **verifying professional** qualified to assess the nature and extent of the disability.” Program eligibility, determination of services and corresponding creation of student file/intake cannot be established until appropriate and complete documentation
is provided, or the nature and extent of the disability is determined evident. Verification may require documentation from:

a. A professional qualified to assess the nature and extent of the disability
b. A recognized and reliable source that provides appropriate standards in the applicable field.

**Qualified Verifying Professionals**
- Physician
- Psychologist
- Audiologist
- Speech pathologist
- Clinical social worker
- Rehabilitation counselor
- Marriage and family therapist
- Learning disability specialist

*or, other appropriate certified/licensed professional*

*To facilitate the acquisition of documentation, students may use Disability Verification Request Forms and Documentation Guidelines provided by the SDRC. (Please see attached)*

**IV. Verification of evident disability:** The SDRC director or designee has the authority to verify a disability if the nature and extent of the disability is evident. In such cases, the Director or designee should document the evident disability on the SDRC Services Needed/Recommended Academic Adjustments form (see attached).

**V. Determination of disability status, program eligibility and appropriate academic adjustments:**
The SDRC director or designee shall review documentation to determine program eligibility and appropriate academic adjustments and/or program services.

Verification of Students with *Learning Disabilities:*
Assessment and Substantiation of a Learning Disability: The guidelines for the assessment and verification of students with learning disabilities conform to national standards are consistent with the AHEAD Guidelines (1997), ETS Policy (1999), and the CSU Policy (2002). (See complete CSU Guidelines Attached). Documentation should validate the need for accommodations and support services based on the student’s current level of functioning in the educational setting. A school plan, such as an individualized program (IEP) or 504 plan, is insufficient documentation, but may be included as part of a more comprehensive assessment battery.

The proper diagnosis of a learning disability involves an orderly, deductive process during which a wide range of information must be considered. Reliance on a single test instrument, no matter how comprehensive it appears, may be misleading. A comprehensive assessment and the resulting diagnostic report will include a diagnostic
interview, evaluation of aptitude, academic achievement, information processing, clinical observation/processes and a diagnosis.

To be considered qualified to evaluate specific learning disabilities, the professional(s) shall have training and experience in the assessment and diagnosis of learning disabilities in adolescents and adults. Qualified professionals include clinical or educational psychologists, school psychologists, neuropsychologists, learning disabilities specialists, and other professionals. All documentation must be legible, on letterhead, dated, signed, and include the professional’s title, professional credential, and/or license number (if appropriate. It is not considered appropriate for professionals to evaluate members of their families.

VI. Definitions and Terms

A. Disability: A disability shall mean a physical or mental impairment of an individual that limits one or more of the major life activities and requires either a record of such an impairment, or documentation of having been regarded as having such an impairment.

B. An Individual with a disability shall refer to:
   1. any person who has a physical or mental impairment that limits one or more of the major life activities of such individual
   2. any person who has a record of such impairment, or
   3. any person who is regarded as having such impairment.

C. A qualified individual with a disability shall mean an individual with a disability who:
   1. meets the academic and technical standards requisite for admission or participation in the education programs of the CSU campuses. This includes students with disabilities participating in clinical or field placements that are offered as part of a program’s field of study.
   2. meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity regardless of:
      a. reasonable modifications to rules, policies, or practices
      b. the provision of auxiliary aids and services
      c. the removal of architectural, communication, or transportation barriers.

VII. CSU Disability Categories for Reporting Purposes
     (*Including Temporary Disabilities)
For reporting purposes, an individual shall be counted only in one category, that of the primary dysfunction. Although ADA guidelines and California state law do not
require that campuses provide accommodations to students with temporary disabilities (disabilities of less than 3 months), campuses may decide on a case by case basis to provide accommodations and support to temporarily disabled students. These students do not constitute a separate category but shall be reported in one of the disability categories based on the nature of their disability. The CSU has established six broad categories to be used for reporting purposes:

A. **Visual limitation**: blindness or partial sight to the degree that it impedes the educational process and may necessitate procurement of accommodations, support services, or programs.

B. **Communication Disability**: limitation in the processes of speech and/or hearing that impede the educational process and may necessitate the procurement of accommodations, support services, or programs. Students in this category shall not require interpreting services or real-time captioning.

C. **Deaf**: limitation in the process of hearing that impedes the educational process and necessitates the procurement of accommodations, support services, or programs. Students in this category may require communication access such as oral or sign language interpreters, note taking services, or real-time captioning services.

D. **Mobility Limitation**: limitation in locomotion or motor functions that indicates a need for accommodations, support services, or programs. Included in this category are persons who have asthma, cardiovascular problems, or those who have physical limitations that restrict the ability to function without accommodation in the campus environment.

E. **Learning Disability**: a generic term that refers to the heterogeneous group of disorders manifested by difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning, or mathematical abilities due to neurological dysfunction. Even though a learning disability may exist concomitantly with other disabling conditions (e.g., sensory impairment) or environmental influences (e.g., cultural/language differences or conditions defined in the current Diagnostic and Statistical Manual of Mental Disorders), it is not the direct result of those conditions or influences. The assessment and documentation standards for assessing learning disability and need for support services conforms to national standards and are provided in a separate document.

F. **Other Functional Limitations**: any other disability, such as a dysfunction of a body part or process, which necessitates the use of accommodations, support services, or programs, and which does not fall within the categories listed above.

**VIII. Process of Determining Reasonable Accommodation, Services & Academic Adjustments, Declination of Services & CSU Policy on Non – Discrimination on the Basis of Disability:**

In determining and or declining services and/or accommodations to qualified students with disabilities, SDRC counselors should consider the student’s
disability, documentation, history of accommodations related to the disability, functional limitations, academic requirements and/or program requirements, and other issues that may impact the student’s opportunity to participate in the program or activity or benefit from equal access. **CSU Policy states:**

In accordance with the provisions of applicable law, this policy is intended to ensure that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in the services, programs, or activities of the CSU and its campuses. The CSU will provide appropriate accommodations and support services and make reasonable modifications in policies, practices or procedures when necessary to avoid discrimination on the basis of disability, unless it is demonstrated that providing such accommodation, services, or modifications would result in a fundamental alteration in the nature of the service, program, or activity or would create undue financial or administrative burdens.

**Modification Process:** All CSU campus faculty and staff share the responsibility for maintaining a campus environment conducive to the fulfillment of the CSU’s teaching and public service mission. In attempting to make appropriate academic adjustments, faculty members, the staff in services to students with disabilities, and students with disabilities should work together to develop reasonable accommodations that meet the individual educational needs of qualified students with disabilities whole not altering the fundamental nature of the service, program, or activity and without creating undue financial or administrative burdens. During this interactive process, a student with a disability should be given the opportunity to express a preference among possible accommodations and the stated preference should be considered in the process. However, the campus shall make the final decision among several viable options for reasonable accommodation.

Students who are denied services, accommodations, and/or academic adjustments and may disagree with the decision should be informed of their right to appeal in accordance with the CSU policy & procedures below:

**IX. Appeal Procedures:** Students with disabilities who are denied a requested accommodation may appeal the decision through on-campus informal and formal accommodation dispute resolution processes. If resolution cannot be obtained through the SDRC Director, Director of Academic Support Programs, and/or corresponding campus faculty, complaints based on discrimination on disabling status may be filed in the office for Diversity and Compliance Services in Siemens Hall (SH 220), (707) 826-4501. Complaint procedures as per University Management Letter 00-03 may be obtained in the Office of Diversity and Compliance Services and the HSU web-site: http://www.humboldt.edu/~judicial/. Established California State University disciplinary, grievance, or other complaint procedures will serve as a mechanism for resolving formal complaints of discrimination (EM P02-01), additional resources may include the Campus Ombudsperson.
X. Services to Students in Continuing/Extended Education Programs

Each CSU campus is responsible for ensuring that students with disabilities are provided reasonable accommodations regardless of the type of course in which the student is enrolled. It is the responsibility of the extended/continuing education office on each campus to fund support services for qualified students with disabilities enrolled in extended /continuing education courses. Such services may include interpreters, real-time captioners, readers, note takers and test proctors. This policy is consistent with existing CSU policy that limits the use of state funds for providing educational support services for regularly enrolled students.

Upon student intake, SDRC counselors should inquire a student’s status and indicate this accordingly within the student Application For Services Form. Approved services for students enrolled through Open University/Extended Education shall be funded directly by Open University/Extended Education. The SDRC will not be responsible for charge backs but rather serve as a resource recommending reasonable accommodations and services and refer appropriate service providers to the Office of Extended Education/Open University.