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NONDISCRIMINATION POLICY

John Tyler Community College does not discriminate on the basis of race, color, national origin, age, gender, sexual orientation or disability in its programs or activities. Also, JTCC does not discriminate against pregnant and/or parenting students. Inquiries related to the College's nondiscrimination policy should be directed to Ms. Sandra Kirkland, Dean of Students, or Michelle Spencer, Associate Dean of Students. Ms. Kirkland can be reached by mail at 13101 Jefferson Davis Highway, Chester, VA 23831, by e-mail at skirkland@jtcc.edu or phone at 804-706-5208/804-594-1566. Ms. Spencer can be reached by mail at 13101 Jefferson Davis Highway, Chester, VA 23831, by e-mail at [mspencer@jtcc.edu](mailto:m Spencer@jtcc.edu) or phone at 804-706-5067/804-594-1534. Please note that any gender-based discrimination or sex-based discrimination to include sexual misconduct should be directed to Sandra Kirkland, Dean of Students and Title IX Coordinator and/or Michelle Spencer, Associate Dean of Students and Deputy Title IX Coordinator. Please refer to the JTCC Title IX policy at <http://jtcc.edu/about/title-ix-and-sexual-misconduct/> for policy and procedures related to Title IX.

CONTENT DISCLAIMER

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Links for references to other materials and websites provided in the above-referenced sources are also for information purposes only and do not constitute the College's endorsement of products or services referenced.

Introduction

John Tyler Community College (JTCC) is committed to serving students with disabilities and to assisting those students in pursuit of their education beyond high school. To support this commitment, John Tyler’s campuses and physical environment are accessible and the Office of the Dean of Students has designated Disability Support Services (DSS) professional counselors on each campus to work with students with disabilities.

As students make the transition from high school to college, it is important to recognize the significant differences between the two educational levels. Legally, public high schools guarantee all students an education until age 21 and are required to screen, evaluate and provide services and accommodations to students who may have a disability.

While an education at a college is not a guaranteed entitlement for students with disabilities, discrimination based on disability is prohibited. Colleges are not obligated to screen or evaluate students for possible disabilities. Students are responsible for providing documentation if requested by the DSS professional counselor that supports student accommodations for an identified disability. Once an application for disability services has been approved, colleges must provide “reasonable accommodations” for students with disabilities.

Students with disabilities enter JTCC with the same standards of admission and prerequisites as all students.

Contacts: Disability Support Services (DSS)/Advising Center

Chester Campus	Midlothian Campus
Advising Center	Advising Center
Moyar Hall, M107	T Building, T115c
804-706-5226	804-594-1561

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973

The Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 provide the legal requirements for JTCC to work with students with disabilities. The following excerpt was taken from the Department of Education, Office of Civil Rights (OCR) website at <http://www2.ed.gov/policy/rights/guid/ocr/disabilityoverview.html>

Disability Discrimination: Overview of the Laws

OCR enforces two laws that prohibit discrimination based on disability. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability in programs or activities receiving federal financial assistance. The U.S. Department of Education gives grants of financial assistance to schools and colleges and to certain other entities, including vocational rehabilitation programs. The U.S. Department of Education's Section 504 regulation is enforced by OCR and is in the federal code of regulations at 34 CFR 104.

Title II of the Americans with Disabilities Act of 1990 prohibits discrimination based on disability in public entities. OCR is the agency designated by the U.S. Department of Justice to enforce the regulation under Title II with respect to public educational entities and public libraries. The Title II regulation is in the federal code of regulations at 28 CFR 35.

Examples of the types of discrimination prohibited include access to educational programs and facilities, denial of a free appropriate public education for elementary and secondary students, and academic adjustments in higher education. Section 504 and Title II also prohibit employment discrimination; complainants may choose whether to pursue such complaints with OCR or with the Equal Employment Opportunity Commission.

Section 504 and Title II both prohibit retaliation for filing an OCR complaint or for advocating for a right protected by the two laws, and harassment of students or others because of a disability.

Obligations and Responsibilities

Teaching Faculty Obligations

1. A student with a disability must identify the need for and request accommodations by meeting with the DSS professional counselor in the Advising Center on his/her appropriate campus to obtain eligibility. If eligible, the student will receive an Instructional Accommodation Plan (IAP) to present to faculty, which will outline the approved and required accommodations.
2. Students with disabilities should be held to the academic and behavioral policies and standards set for all students in your classes. Students with disabilities should be held to the same attendance policy as other students unless specific attendance accommodations are listed on their (IAP).
3. At the beginning of each semester (and periodically during the semester), inform all students regarding privacy, confidentiality and your willingness to accommodate students with disabilities who have received an authorized IAP from the DSS professional counselor.

Provide a written statement on your syllabus and course outline regarding privacy, confidentiality and your willingness to meet individually with students with disabilities.

An example of a syllabus statement: If you feel you may need academic accommodations for a disability, please contact the DSS professional counselor in the JTCC Advising Center on your appropriate campus. (Chester Campus – Phone: 804-706-5165; Midlothian Campus – Phone: 804-594-1561). If you obtain an IAP from the DSS professional counselor, please make an appointment to meet with me privately to review and discuss your accommodations.

4. Encourage timely communication and minimize misunderstandings by encouraging students with a disability to contact you privately as soon as possible. If approached by a student with a disability who has not received an IAP, faculty should refer them immediately to the DSS professional counselor in the Advising Center on his/her appropriate campus. Most students with a disability will promptly identify their need for accommodations, but others may delay communicating their needs for a variety of reasons.
5. Upon receipt of the IAP, meet privately with the student, as soon as possible, to discuss the accommodations.

6. Maintain and respect student privacy and confidentiality. Faculty are prohibited from inquiring generally or specifically about a student's disability. Faculty are prohibited from commenting about a student's disability or IAP in front of the class or anyone else. Faculty and staff will treat and protect all disability-related information as confidential information.
7. Provide accommodations only to authorized students who have an IAP. For example, if you make allowances for an unauthorized student without an IAP, you risk setting a precedent that could cause problems later.
8. Contact the DSS professional counselor if you have any questions or concerns about the IAP, need support or have suggestions. DSS professional counselors are available to provide general information on specific impairments and related classroom strategies.
9. Comply immediately with the IAP and only provide the accommodations that are authorized. A student's IAP is in effect from the date it is received by the faculty member. Although students may request accommodations at any time during the semester, it is recommended that students initiate the request for accommodations prior to the start of the semester. It is important to note, however, that accommodations are not retroactive.
10. Coordinate testing with students who require a testing accommodation. If the accommodation requires a distraction-reduced testing environment, students may need to take their tests in the Advising Center on the appropriate campus. Students schedule their tests by filling out the Proctored Test Reservation form at least 3 business days prior to their scheduled test time. Faculty are responsible for getting each test to the DSS professional counselor prior to the scheduled examination date with all special instructions regarding what resources the student is permitted to use (e.g., calculator, book, notes), when the test is to be administered, test length, and how the test needs to be returned to the faculty member.
11. If the student requires special classroom arrangements or materials (e.g., electronic format or a reader), please provide the DSS professional counselor with the requirements at least 3 business days in advance so that the DSS professional counselor will have sufficient time to coordinate special arrangements.

12. When selecting course materials, it is the responsibility of the faculty member to ensure that all course materials are fully accessible to vision, print and hearing impaired students, including accurate closed captioning on all videos. If you need assistance with determining the accessibility of your course, contact the DSS professional counselor in the Advising Center on the appropriate campus. If your student has an accommodation for extra time for online tests and exams, provision for the extra time needs to be made prior to the testing date.

Student Obligations

To receive services under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 and Amendments, each student must self-identify as a person with a disability and provide documentation if requested by the DSS professional counselor to support reasonable accommodations.

1. A student with a disability who may require assistance has an obligation to make an appointment to meet with the DSS professional counselor in the Advising Center on his/her appropriate campus to identify that he/she has a disability and to discuss his/her needs.
2. The student must identify the need for and request accommodations. Eligibility for services and accommodations will be determined by the DSS professional counselor following the intake interview and a review of documentation.
3. If the College requests documentation that supports the request for accommodations, the documentation should be provided at least 30 days prior to the need for accommodations. JTCC does not perform diagnostic assessments, but can provide students with a list of local providers.
4. If eligible for accommodations, the student will be contacted via email with an electronic IAP from the DSS professional counselor. This letter is used to communicate with faculty and staff that the student is a person with a disability and has accommodations that are authorized and required.
5. The student will take the IAP to his/her faculty as soon as it is received. Students should make an appointment with his/her faculty to discuss the accommodations needed. Accommodations must begin immediately when faculty receives the IAP. Accommodations are not retroactive.

6. Students are encouraged to utilize available support services and accommodations while enrolled at JTCC.
7. Students are encouraged to contact the DSS professional counselor if they are having academic difficulty related to the disability or if the accommodations outlined in the IAP need to be reviewed and/or revised.
8. If a testing accommodation is being provided by the Advising Center, the student must complete the Proctored Test Reservation form and give it to the DSS professional counselor at least 3 business days in advance. The student should also discuss testing accommodation requirements with his/her professor.
9. If special arrangements or materials are required, the student must provide the DSS professional counselor with the requirements at least 3 business days in advance.

Disability Support Services (DSS) Professional Counselor Obligations

The DSS professional counselor will provide support services for students with disabilities in keeping with JTCC policy and as required by VCCS, the Vocational Rehabilitation Act of 1973, Title II of the Americans with Disability Act of 1990, and the ADAAA 2008.

1. Maintain and respect student privacy and confidentiality and treat all disability-related information as confidential information.
2. Meet with students to provide information on disability services at JTCC. Outline the documentation that may be needed to support the request for accommodations. If needed, documentation should be provided at least 30 days prior to the need for accommodations. JTCC does not perform diagnostic assessments, but can provide students with a list of local providers.
3. Review documentation provided by the student. Determine eligibility for services and identify reasonable accommodations. Additional documentation may be requested by the DSS professional counselor as needed to support the student's accommodation(s) request.

4. Write an IAP, and provide a copy to the student via email. Hard copies of IAP's are provided to students upon request. Instruct the student to provide the instructor with the IAP as soon as it is received. Copies of the IAP will be provided to students each semester if requested.
5. Assist students with academic advising, registration, and College requirements. Work with both faculty and students to assist them in the provision of accommodations for students with disabilities.
6. Assist students and faculty with assistive technology needs, obtaining books in alternate format and obtaining other assistive materials or devices approved through the intake process.
7. Work with faculty, students and college facilities personnel when issues of physical space accommodations arise.
8. Arrange for sign language interpreters as needed.
9. Assist faculty and staff with appropriate disability-related training and questions.
10. Provide information about policies and procedures regarding students with disabilities.
11. Assist students who need special accommodations with proctored testing in the Advising Center.
12. Maintain student disability data and documentation.

Accommodations and Support Services

As required by law, JTCC provides reasonable accommodations to authorized students with documented disabilities to ensure those students equal access and an equal opportunity to participate in JTCC's programs, courses and activities. The intention of an IAP is to facilitate the collaboration between the student, the faculty member and the DSS professional counselor.

Available support services (may include but are not limited to the following):

- Instructional Accommodation Plan (IAP)
- Consultation services for faculty and staff
- Assistance with registration
- Career counseling
- Instructional support services as required, such as:
 - Note-taking support
 - Electronic readers
 - Use of alternate text
 - Testing accommodations
 - Approval to record lectures
 - Tutors
 - Additional time on tests
 - Assistive technology
 - Other approved services as needed

Resources and Websites

Information for Faculty and Students

Association on Higher Education and Disability (AHEAD)
107 Commerce Center Drive, Suite 204, Huntersville, NC 28078
www.ahead.org

“Accommodating College Students with Disabilities,” Center for Faculty Development, Union University
www.uu.edu/CENTERS/FACULTY/resources/article.cfm?ArticleID=116

Students with Disabilities - Preparing for Postsecondary Education
www.ed.gov/ocr/transition.html

HEATH Resource Center of George Washington University website is a national clearinghouse on postsecondary education for individuals with *disabilities*. Information exchange about educational support services, policies, etc. Links to many additional resources.
www.heath.gwu.edu

Legal Information

Americans With Disabilities Act (ADA) home page
www.ada.gov/

Disability Information

The National Institute of Mental Health (NIMH)
www.nimh.nih.gov

National Center for Learning Disabilities
www.nclld.org/

Learning Disabilities – *a website for parents, students and educators*
www.ldonline.org

Disability.gov is the federal government's web portal for comprehensive information on disability programs and services in communities nationwide. The site links to more than 14,000 resources from federal, state and local government agencies; academic institutions; and nonprofit organizations.

www.disability.gov

MedicineNet, Inc.

www.medicinenet.com/learning_disability/article.htm

Brain Injury

www.braininjurynetwork.org/

"The Student with a Brain Injury: Achieving Goals for Higher Education"

www.ncset.hawaii.edu/institutes/mar2004/papers/index.html

The International Dyslexia Association

www.interdys.org

National Alliance on Mental Illness of Central Virginia (NAMI-CVA)

<http://namivirginia.org/>

Children and Adults with Attention Deficit/Hyperactivity Disorder

www.chadd.org

American Association of Intellectual and Disabilities

www.aaid.org

Disability Resources on the Internet

www.disabilityresourceassociation.org

Information for Veterans

Clearinghouse website for the U.S. Department of Veterans Affairs

www.va.gov

Student Veterans of America

www.studentveterans.org



www.jtcc.edu/accommodations

Disability Support Services (DSS)/Advising Center:

Chester Campus
Advising Center
Moyar Hall, M107
804-706-5226

Midlothian Campus
Advising Center
T Building, T115c
804-594-1561