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## **2.8 STUDENTS WITH DISABILITIES**

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### **2.8.1 Eligibility for Accommodations & Required Disability Documentation**

**PURPOSE---** to specify the disability documentation requirements that will qualify (i.e., support current and essential needs) Maricopa County Community College District students for reasonable and appropriate accommodations through each college's disability services office or designated professional. This regulation is implemented in accordance with the American's with Disabilities Act.

#### **GENERAL ELIGIBILITY REQUIREMENTS**

Each applicant with a disability must meet MCCCDC admissions requirements, or be enrolled as an MCCCDC student, and must provide disability resource services (drs) with required documentation verifying the nature and extent of the disability prior to receiving any accommodation. The disability services office coordinator/program advisor is responsible for evaluating documentation and determining accommodation eligibility.

#### **SPECIFIC ELIGIBILITY REQUIREMENTS**

##### **PHYSICAL DISABILITIES -- REQUIRED DOCUMENTATION**

The student must submit a written, current diagnostic report of any physical disabilities that are based on appropriate diagnostic evaluations administered by trained and qualified (i.e., certified and/or licensed) professionals (e.g., medical doctors, ophthalmologists, neuropsychologists, audiologists). Disability diagnosis categories include:

1. Orthopedic Disability
2. Blind or Visual Impairment
3. Deaf or Hard-of-Hearing
4. Traumatic Brain Injury
5. Other Health-Related/Systemic Disabilities

##### **The Written Diagnostic Report Must Include:**

- a) A clear disability diagnosis, including a clinical history that establishes the date of diagnosis, last contact with the student, and any secondary conditions that might be present.
- b) The procedures used to diagnose the disability.
- c) A description of any medical and/or behavioral symptoms associated with the disability.
- d) A discussion of medications, dosage, frequency, and any adverse side effects attributable to their use that the student has experienced.
- e) A clear statement specifying functional manifestations (i.e., substantial limitations to one or more major life activities and degree of severity) due to the disability and/or medications for which the student may require accommodations.
- f) A recommendation for accommodation, including rationale. If the accommodation recommendations are specific to limitations in learning (e.g., reading, mathematics, written expression), an appropriate psycho-educational or neuropsychological evaluation must be administered to document ability/achievement discrepancies.

##### **Specific Learning Disabilities-Required Documentation**

The student shall submit a written diagnostic report of specific learning disabilities that is based on current appropriate, comprehensive, psycho educational evaluations using adult normed instruments.

The assessment or evaluation which leads to the diagnosis must be administered by a trained and qualified (i.e., certified and/or licensed) professional (e.g., psychologist, school psychologist, neuropsychologist, or educational diagnostician) who has had direct experience with adolescents and adults with learning disabilities.

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### **An Appropriate Psycho Educational Evaluation Must Include Comprehensive Measures In Each Of The Following Areas:**

1. Aptitude (the evaluation must contain a complete intellectual assessment, with all sub-tests and standard scores reported).
2. Academic achievement (the evaluation must contain a comprehensive achievement battery with all sub-tests and standard scores reported) the test battery should include current levels of functioning in the relevant areas, such as reading (decoding and comprehension), mathematics, and oral and written expression.
3. Information processing (the evaluation should assess specific information processing areas such as short- and long-term memory, sequential memory, auditory and visual perception/processing, processing speed, executive function, and motor ability).

#### **Examples Of Measures**

- a) Wechsler Adult Intelligence Scale-Revised (WAIS-R)
- b) Wechsler Adult Intelligence Scale-Third Edition
- c) Stanford Binet Intelligence Scale-Fourth Edition
- d) Woodcock-Johnson Psycho-Educational Battery-Revised: Tests Of Cognitive Ability
- e) Kaufman Adolescent And Adult Intelligence Test

#### **Achievement**

- a) Wechsler Individual Achievement Tests (WIAT)
- b) Woodcock-Johnson Psycho-Educational Battery-Revised: Tests Of Achievement (W-Jr)
- c) Stanford Test of Academic Skills (TASK)
- d) Scholastic Abilities Test for Adults (SATA)

#### **Information Processing**

- a) Subtests of The Wais-R Or Wais-Third Edition
- b) Subtests on The Woodcock-Johnson Psycho-Educational Battery-Revised: Tests Of Cognitive Ability

#### **Diagnostic Report**

The diagnostic report must include the following information:

1. A diagnostic interview that addresses relevant historical information, past and current academic achievement, instructional foundation, past performance in areas of difficulty, age at initial diagnosis, and history of accommodations used in past educational settings and their effectiveness.
2. A list of all instruments used in the test battery.
3. Discussion of test behavior and specific test results.
4. A diagnostic summary statement with the following information:
  - a) A clear and direct statement that a learning disability does or does not exist, including a rule-out of alternative explanations for the learning problems. Terms such as "appears," "suggests," or "probable" used in the diagnostic summary statement do not support a conclusive diagnosis.
  - b) A clear statement specifying the substantial limitations to one or more major life activities.
  - c) A psychometric summary of scores.

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- d) A recommendation for accommodations, including rationale.

Diagnosis of specific learning disabilities that do not contain psycho-educational measures may not be used for determining eligibility for academic accommodations. For example, school plans such as individualized education plans (IEPS) or 504 plans are not adequate documentation; however, they can be included with the required evaluation. Drs reserves the right to request reassessment when questions regarding previous assessment or previous service provision arise.

### **Attention Deficit Hyperactivity Disorder (ADHD) / Attention Deficit Disorder (ADD) -- Required Documentation**

The student shall submit a current diagnosis of attention deficit hyperactivity disorder (ADHD)/attention deficit disorder (ADD) that is based on appropriate diagnostic evaluations administered by trained and qualified (i.e., certified or licensed) professionals (e.g., psychiatrists, psychologists, or neuropsychologists).

#### **The Diagnostic Report Must Include:**

1. A diagnostic interview addressing relevant historical information, past and current academic achievement, age at initial diagnosis, discussion of medication, and history and effectiveness of accommodations in past educational settings.
2. The procedures used to diagnose the disability (including a list of all instruments used in the assessment).
3. Discussion of the testing results and behavior, including the symptoms that meet the criteria diagnosis. If the student was evaluated while on medication, the effect this may have had on performance must be noted.
4. DSM-IV diagnosis (including all five axes).
5. A diagnostic summary statement that includes the following information:
  - a) A clear statement that ADHD/ADD does or does not exist, including a rule-out of alternative explanations for behaviors. Terms such as "appears," "suggests," or "has problems with" used in the diagnostic summary statement do not support a conclusive diagnosis.
  - b) A clear statement specifying the substantial limitations to one or more major life activities and the degree of severity. If the limitations are in learning (e.g., reading, mathematics, and written expression), an appropriate psycho-educational evaluation must be administered to document ability/achievement discrepancies.
  - c) A recommendation regarding medications or medical evaluation(s).
  - d) A recommendation for accommodations, including rationale.

### **Psychological Disabilities -- Required Documentation**

If the diagnostic report is more than one year old, a letter from a qualified professional that provides an update of the diagnosis with a description of the individual's current level of functioning during the past year, and a rationale for the requested accommodations must be submitted.

#### **The Diagnostic Report Must Include The Following:**

1. A clinical interview, relevant historical information, age at initial diagnosis, duration and severity of the disorder.
2. Discussion of medications review of past and current academic achievement, and history of disability accommodations and their effectiveness.
3. The procedures used to diagnose the disability (include a list of all instruments used in the assessment and test scores as applicable).
4. Discussion of the assessment results.
5. DSM-IV diagnosis (include all five axes).

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6. A diagnostic summary statement that includes the following:
  - a) A clear statement that a disability does or does not exist. Terms such as "appears," "probable," and "suggests" used in the diagnostic summary statement do not support a conclusive diagnosis.
  - b) A clear statement specifying the substantial limitations to one or more major life activities. If the limitations are in learning (e.g., reading, mathematics, and written expression), an appropriate psycho-educational evaluation must be administered to document ability/achievement discrepancies.
  - c) A discussion of medications and their possible impact on academic functioning (e.g., concentration, attention, sedation)
  - d) A recommendation for essential accommodations relative to the diagnosed disability, including rationale.
  - e) The duration for which these accommodations should be provided based on the current assessment.
  - f) A recommendation regarding reevaluation to determine ongoing need for disability accommodations (e.g., one semester, one year, two years).

### **Temporary Impairments**

Some disabilities are temporary and may require accommodations for a limited time. Each case is considered individually. The following documentation is required:

1. Written correspondence on letterhead from a qualified professional stating diagnosis, functional limitations necessitating the accommodation, and the estimated length of time services will be needed.
2. Services may be provided for ten (10) working days pending receipt of documentation. If documentation is not received by that time, services will be cancelled.

### **Special Considerations**

A requirement for documentation prescribed in this regulation may be considered at the discretion of each college's disability services office or designated professional if, in the professional opinion of the responsible college's disability services office or designated professional, such consideration is in the best interest of the student and will neither undermine the integrity of any college offering nor violate any mandate under state or federal law. All situations shall be considered on an individual, case-by-case basis. Reasonable accommodation is required for students with known disabilities. MCCCDC will make every attempt to provide "preferred" accommodations, however, "the most effective and reasonable" accommodation may be determined to meet sufficient accessibility needs.

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### 2.8.2 ELIGIBILITY OF STUDENTS TAKING REDUCED COURSE LOADS

Although any student may register for fewer than twelve credit hours, a student with a disability may request a reduced academic load as a reasonable and appropriate accommodation. A college Disability Resource Services (DRS) professional may certify that a student who is afforded a reduced academic load as an accommodation for a disability shall nevertheless be deemed a full-time student. Such certification shall be solely to enable the student to seek eligibility for health insurance benefits and to seek eligibility to comply with mandates of the National Junior College Athletic Association. The college DRS professional will certify that a student may be deemed a full-time student as provided under this regulation only on a semester-by-semester basis.

The appropriate college offices will receive documentation of the DRS professional's certification from the professional or the student. An incoming student may apply for such certification upon acceptance to the college. Requests for certification must be made prior to the beginning of each semester. Every attempt will be made to accommodate these requests.

The following criteria also apply:

1. Students taking a reduced course load must register for at least 6 credit hours (based on DRS approval) during the regular fall and spring semesters. It is recommended that students register for at least three (3) credit hours during the summer to offset the impact of academic eligibility.
2. Students taking a reduced course load must maintain satisfactory academic progress standards as defined by the College catalog.
3. The reduced credit load may result in an adjusted financial aid package. ***There may be additional ramifications including, but not limited to, extra time to complete college, insurance coverage, Vocational Rehabilitation funding, etc.***
4. Eligibility for Federal Stafford Loans may be reduced according to the total number of credit hours taken in the full academic year. A student, taking a reduced course load, must be at least half time in a semester (6 credits) in order to receive a Stafford Loan.
5. The amount of Federal Financial Aid (Title IV) awarded is based on the actual number of credit hours taken.
6. Requirements for continuation of funding through Vocational Rehabilitation may differ. The student must contact his/her VR counselor to determine how a reduced course load will impact their funding.
7. The National Junior College Athletic Association (NJCAA) has published standards in regard to the designation of Certified Disabled Student-Athlete in Article V Section J of the NJCAA bylaws. This procedure addresses the NJCAA criteria for reduced course loads.

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### Application Process:

1. Applications for reduced course loads must be submitted to the Disability & Services professional with supporting documentation. **Requests must be made prior to the beginning of each semester.**
2. Supporting documentation must include a diagnostic evaluation from an appropriate professional. The documentation must meet the guidelines set forth by the Maricopa Community College District's Documentation Policy in order to evaluate the current impact of the disability in regards to the request. Students are required to complete an application form for this status every semester, but do not need to re-submit their documentation. Continuation of this status is not automatic. Each case will be re-evaluated at the end of the semester to determine if this accommodation is still appropriate.
3. Students requesting a reduced course load should consult with their academic advisor regarding the consequences of this status for making progress toward graduation requirements and eligibility for various academic distinctions and designations.
4. Students registered in occupational and/or academic programs that have specific block formats will not be considered for reduced course loads.
5. Students who are approved for a reduced course load will be required to sign the Reduced Course Load Approval Form (see Appendix S-10), which includes a statement acknowledging that he or she has reviewed the consequences that go with reduced load status and accepts them.
6. When a reduced course load status is granted by the Disability Resources & Services professional, a copy of the Reduced Course Load Approval Form will be sent to the appropriate individuals.