



Guidelines for Students

Disability Office Location & Important Contact Information

Location: Administration building in the Student Success Center Suite 158

Disability Counselor: Holly Bankston

Contact Info: 409-933-8520 or hbankston@com.edu

Database and Disability

Support Specialist: Cindy Kater

Contact Info: 409-933-8524 or ckater@com.edu

Director of Student

Success Center: Michelle Valdes

Contact Info: 409.933.8124 or mvaldes1@com.edu

The primary function is to provide assistance to students with disabilities in compliance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973. The Disability Counselor works with faculty, staff, and students to assure equal access and opportunity to all programs.

The Law: Section 504

Section 504 of the Rehabilitation Act of 1973 states that:

“College programs and activities shall be conducted in such a manner that no otherwise qualified individual shall, solely by the reason of handicap, be excluded from participation in, be denied benefits of, or be subject to discrimination under any such program or activity receiving federal financial assistance”.

- A “qualified person” is defined as one who meets the requisite academic and technical standards required for admission or participation in the postsecondary institution’s programs and activities.
- Section 504 protects the civil rights of individuals who are qualified to participate and who have disabilities such as, but not limited to, the following:
 - Blindness or visual impairments
 - Cerebral Palsy
 - Hearing Impaired/Deaf



College of the Mainland

SERVICES FOR STUDENTS WITH DISABILITIES

- Specific Learning Disabilities
- Mobility Impairment
- Chronic Illnesses (to include AIDS, cancer, diabetes)
- Epilepsy or seizure disorders
- Speech disorder
- Psychological Disabilities

Mission

The Mission of Services for Students with Disabilities at COM is to create a welcoming and accessible educational environment which gives students with disabilities the opportunity to participate and benefit from all programs, services, and activities.

Policy Statement

The Office of Services for Students with Disabilities will coordinate with college faculty and staff to implement reasonable accommodations that each individual student with a disability is entitled to under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Accommodations will only be granted to students who have provided appropriate documentation of their disability, and completed the intake process with the Office of Services for Students with Disabilities.

Academic accommodations must be requested by the student each semester for the classes he or she is enrolled in and requesting services for. Accommodations **will not**, under any circumstances, lower academic standards or fundamentally alter essential elements of the course. Although a student can register with our office at any time during the academic year, accommodations are **not** retroactive.

The decision of whether or not to disclose a disability to the Office of Services for Students with Disabilities lies with the individual student. However, it is strongly encouraged that students with disabilities register with our office upon enrollment.

Eligibility and Definition of Disability under Section 504 and ADA

Auxiliary aids and services are available upon request to individuals with disabilities.

Relay Texas Numbers: 1-800-735-2989 (TDD) or 1-800-735-2988 (Voice) or 711.

A disability student can request an accommodation by following the proper steps, but is not required to accept the accommodation.



Students who have documented disabilities, and who have completed the necessary paperwork in order to initiate a file, are eligible for services through our office. Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act mandates institutions to provide appropriate and reasonable accommodations based on disability and individual need. Eligibility for services must be determined prior to providing accommodations to an individual.

Accommodations for individuals with disabilities are driven by information concerning the *functional impact of impairment* rather than the label or diagnostic category. Each person is evaluated individually, and accommodations are granted on a case-by-case basis. Disability services are free to the student. Under Section 504 and ADA, a person with a disability is one who has:

- 1) A physical or mental impairment, which substantially limits one or more of the individual's major life activities (walking, hearing, seeing, speaking, breathing, learning...etc.).
- 2) A record of such an impairment, or
- 3) Is regarded as having such an impairment

The Office for Students with Disabilities Does

- Maintains confidential student records (e.g. documentation of disability, record of interviews, accommodations, etc.).
- Reviews and interprets all documentation which has been provided by students to verify disabilities.
- Serves as an advocate for students with faculty or administrators.
- Provides information, academic advisement, and counseling to students regarding disability services and issues.
- Consults with faculty regarding the instructional needs of individual students with disabilities.
- Communicates information regarding program services to the campus community (e.g. brochures, relevant information in College catalog, Student Handbook, etc.).

The Office for Students with Disabilities Does Not

- provide formal diagnostic evaluations
- self-contained classes for students with disabilities
- offer personal care takers or private tutors

What If I still want services which the Office for Disability Services does not provide?

- If the need should arise, Services for Students with Disabilities will refer students to agencies, which may provide personal assistance of that nature.



Sharing information with Parents

The disability office also follows FERPA guidelines. Please see FERPA guidelines listed below.

Notification of Rights under the Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a federal law that affords eligible students certain rights with respect to their education records. Under FERPA, an “eligible student” is a student who is 18 years of age or older or who attends a postsecondary institution. These rights under FERPA include:

1. The right to know that directory information—such as name, class, college, major, and telephone number—is publicly accessible.
2. The right to know that non-directory information—such as grades or disciplinary records—will not be given to another person without written permission from the student. To release this information (also known as “personally identifiable information” or “PII”), the student must complete an “Authorization to Release Information” form in person at the Admissions to identify other persons with whom the student’s information can be shared.
3. The school discloses education records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by College of the Mainland in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of College of the Mainland who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for College of the Mainland.
 1. The right to review their own records and to check for accuracy. If a student believes the record has information that is wrong or misleading, the student may ask for the record to be corrected.
 2. The right to file a complaint with the US Department of Education concerning alleged failures by the College of the Mainland to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:



College of the Mainland

SERVICES FOR STUDENTS WITH DISABILITIES

Family Policy Compliance Office
US Department of Education
400 Maryland Avenue, SW
Washington, DC 20202



College of the Mainland

SERVICES FOR STUDENTS WITH DISABILITIES

K-12 vs College

Process	Kindergarten through High School	College
Identification	Schools are responsible for identifying students.	Students must self-identify.
Documentation	Schools are responsible for testing students.	Students must pay for their testing, if needed.
Services	Schools are responsible for any needed services. Schools must provide whatever services will help students succeed in class, testing and any school-sponsored activity. School must provide individualized tutoring.	*Students must seek out services *Student allowed only certain accommodations in college classroom and testing. *Students must seek out tutoring if needed, and must pay for it if college does not provide tutoring for non-disabled students.
Communication	Schools must communicate with parents at regular intervals regarding a student's progress.	The college is not allowed to contact parents without student's permission.
Accommodation Arrangements	Schools must develop a formal plan, and it is the school's responsibility to track a student.	Students must request and qualify for services each semester, and the student is responsible for much of the accommodation process (such as notifying the office of test dates, etc.).
Accommodation Differences	Reduced assignments (requiring student to submit less work than others), extended time on assignments, grading changes (counting daily work equal with semester tests), test format changes (take away two wrong answers and leave one right and one wrong answer), and/or repeated chances to make a passing grade.	*No reduced assignments. *No grading changes. *No test format changes other than providing equal access (such as providing extended time or providing a test in large print or Braille). *No extra attempts at tests



Documentation

Purpose of Documentation:

- To establish that the individual has a disability
- To describe and document the functional impact of the disability for use in establishing the need and design of accommodations.
- Documentation must be no older than **three** years.

The documentation must be from an appropriate professional capable of diagnosing that particular disability. The documentation must support the need for the requested accommodation. All records are kept within the Disability Services Office. The following are general guidelines for documentation:

- 1) Documentation must include a definitive diagnosis and should list the functional limitations associated with the disability.
- 2) Individuals with **psychiatric disabilities** may present a typed letter on official letterhead from a licensed psychologist or a psychiatrist with an explanation of the disorder and educational recommendations.
- 3) Individuals with **sensory, physical, or other health impairments** are required to provide written documentation in the form of medical reports or a typed letter on official letterhead from a medical doctor detailing the disability.
- 4) Individuals with **Attention Deficit Disorder** may present a typed letter on official letterhead from a licensed psychologist, psychiatrist, or a medical doctor.
- 5) Individuals with **learning disabilities** may present a letter or report from a licensed psychologist, diagnostician, or other professional knowledgeable in learning disabilities.

This document must clearly state the presence of a learning disability, and provide objective evidence of a substantial limitation to learning. ARD papers and IEP reports alone are not considered adequate forms of documentation.



Establishing Services

A variety of support services are available to individuals with disabilities. **ALL SERVICES MUST BE REQUESTED. Files are inactivated and disposed of five years after the last date of contact with the Office of Services for Students with Disabilities.**

Individuals requesting accommodations must meet with the disabilities counselor to request any assistance or accommodations. Accommodations given directly from the instructor are not considered part of Disability Services. The following outlines the process students should follow in order to receive services:

- 1) Schedule a meeting with the counselor for Services for Students with Disabilities.
- 2) To this meeting, students should bring the appropriate documentation of the disability.
- 3) The counselor will discuss the services and accommodations that are the most appropriate for the individual and will acquaint the student with the process for securing those services.
- 4) For the first meeting, an initial *Intake Form* will be completed indicating personal information, the disability, recommended action plan, and possible outside resources the student is receiving.
- 5) An *Information Release Form* is completed allowing the counselor to discuss the necessary disability related information as well as the necessary accommodations with Faculty.
- 6) The *Accommodation Request Form* lists the accommodations necessary based on his/her disability. This form is to be filled out each semester the student requests accommodations. The completion of this form prompts Disability Services to generate an Accommodation Letter for your Instructors.

NOTE: If a student chooses not to use the approved accommodation(s), he or she would have to follow the same classroom procedures as any other College of the Mainland student.

Confidentiality

Every effort must be made to preserve the privacy of the student requesting accommodations. Information disclosed to Services for Students with Disabilities is not part of public information and will be treated as confidential. Documents verifying and describing disabilities are kept in the Office of Services for Students with Disabilities. Information sent to faculty will contain only information about the accommodations to be arranged or adapted to the specific class. This information is provided to the student's professors only with the student's written request and permission.

Accommodations

Accommodations are not made which would reduce academic expectations, standards, or which would eliminate essential components of any course.



Student's Responsibilities

Students with disabilities are protected by strong confidentiality and privacy policies. Thus, no accommodations will be arranged or requested unless the student follows the following Procedure:

- Student self identifies and discloses his or her disability.
- Student provides necessary documentation supporting the requested accommodation
- An accommodation is requested
- During the initial meeting, an intake form, accommodation form, and release form must be completed.
- When the instructor receives the accommodation letter, it is the students' responsibility to discuss the implementation of the approved accommodation (s) with the instructor.

In addition to requesting accommodation services, students are also responsible for the following:

1. Attend all classes.
2. Introduce yourself to the instructor and set up a meeting time to discuss the accommodations that have been requested. You must contact the instructor in order to activate and adopt accommodations for each class.
3. Follow the instructions provided in the professor's syllabus. If you have an emergency need for an absence, or other questions arise specific to any class, contact the instructor directly. If you miss class, call the instructor to explain your absence as well as to inquire about any special assignment you may have missed. If possible, let the instructor know you will be absent a day or two in advance. The class syllabus will include instructions for contacting your instructor in such situations.
4. Contact other agencies for services, which you may be eligible (TRC, TCB, etc.).
5. Do not rely on others to do it for you. Students with disabilities should process their own registration, follow through and do the paperwork for add/drops, and maintain contact with both the Counselor as well as instructors as needed. It is important to keep Services for Students with Disabilities informed of the classes you are currently in, as well as any changes you make to your schedule during the semester.
6. Keep the lines of communication open. Voice your opinions and concerns as they arise to the counselor of Services for Students with Disabilities. Feedback received is critical for program improvement.



Discussion with My Instructors

Once you have completed the process to request accommodations, it is the students' responsibility to discuss the requested accommodation(s) with the Instructor in order to implement the accommodations. The following are topics students should discuss with their Instructors:

- Special seating needs
- Use of Interpreters or note takers
- Use of a tape recorder during class lectures
- What procedures to follow for extended time on exams
- What procedures to follow for testing in the Testing Center. Exams are to be sent by the Instructor directly to the Testing Center along with any instructions from the Instructor. Exams are to be retrieved by the Instructor as they will not be released to the student.
- Course syllabus or outline. Make note of exam dates if testing arrangements must be made as an academic accommodation.
- Methods and techniques the Instructor uses for teaching – use of visual aids, tapes, etc.
- Any other relevant information you would like to share with the Instructor that may impact your performance in class.
- Inquire about the Instructors office hours.

Services Available

COM provides services and assistance to any individual who has a documented disability, which substantially limits one or more of his/her life activities.

Examples include:

➤ **Testing modifications**

Depending on the student's need, testing accommodations are available to include extended time, oral testing, testing in a separate room, marking on the test instead of using a scantron, and/or utilizing a scribe for the exam. The counselor of Services for Students with Disabilities will determine testing modifications for students with disabilities. The decision will be based on the disability, documentation received, and the structure of the course. Once the accommodation is approved, Services for Students with Disabilities will inform the instructor(s) of the accommodation.

- For those students who will be testing in the Testing Center as an accommodation, the instructor will be responsible for delivering and picking up the exam. It is the student's



- responsibility to reserve a testing day and time with Services for Students with Disabilities. The disability counselor will coordinate the date and time with the Testing Center.
- For students using readers or scribes as an accommodation for an examination, the student is responsible for informing the Services for Students with Disabilities office at least **2 business days** in advance to arrange for the service. Once approved, the scheduling of exams can be done with the Disability Support Specialist.
 - Other testing accommodations may be approved depending on the individual need of the student.
- **Note taking assistance**
 - Note taking services are available for students as an accommodation for some students with disabilities. Students must supply adequate documentation to support the need for note taking assistance.
 - **Sign language interpreters**
 - College of the Mainland provides sign language interpreters for students who are deaf. Students must contact Services for Students with Disabilities prior to the beginning of the semester to request services, as well as to initiate a file with our office. Family members or close friends of the student will not be allowed to interpret for the student.
 - College of the Mainland's "**No Show Policy**" has been implemented to better utilize the interpreting services. Students using sign language interpreters are required to report absences prior to the class meeting. If a student misses three classes without contacting the Services for Students with Disabilities office, services will be suspended. You are responsible for your attendance in class and will need to meet with the Services for Students with Disabilities counselor in order to have the services reinstated.
 - **Assistive technology**
 - **Kurzweil** – Read aloud software to assist individuals with visual impairments or Learning Disabilities to access written material.
 - **Zoom Text** – powerful low vision software that magnifies the screen. It provides complete access to all Microsoft Windows applications.
 - **Dragon Naturally Speaking** - Speech to text software
 - **Texthelp (used to be called Read and Write Gold)** – Text to speech software Available in the library and in the Reading & Writing Tutoring Center



Equipment

➤ **All Equipment is on a first serve first come basis and must be checked in and out with the disability services office.**

- **Closed Circuit Television** – For students with visual impairments, this device increases the magnification of printed material. An adjustable device, it will meet the needs of the student regardless of his or her visual acuity.
- **FM Loop System** – Assists students with hearing impairments.
- **Alpha Smart Keyboards** – A note taking device.
- **UBI-DUO** – Designed for students with hearing impairments. A Wireless communicator that promotes communication without the need for an interpreter.
- **Talking Calculators**- Assists students with visual impairments in doing basic calculations
- **Recorders** – A portable device students can use when taking lecture notes
- **Reading pens**- A portable device that provides immediate word support to the reader.
- **Smart pens**- A portable device that assists students with note taking.
- **Overlays**- Assists students with reading.
- **Headphones**- A portable device that helps students block out background noise.
- **Victor reader**- Assists students with recording or playing audio files.

Alternate format textbooks

- For students with severe learning disabilities or visual impairments, COM will assist in obtaining alternate format books. Planning ahead is crucial if a student is requesting an alternate format book. Obtaining the needed book requires several weeks and is a shared responsibility.

****Books need to be requested each semester**

Steps to requesting an alternate format book:



1. Students should be enrolled in the course or courses in which they are needing the book and should have already requested accommodations in the disability services office for that course or courses.
2. Request should be done at least **2** weeks prior to the class starting.
3. Please provide the following information to the disability services office about the book:

- Receipt from purchase of the hard copy of the book
- ISBN
- Title
- Author
- publisher
- edition

*Once the alternate format book is received, the student is contacted by the disability office.

- Students may wish to become a member of Learning Ally as well. Learning Ally is a national non-profit organization that helps disability students with reading difficulties. For more information on Learning Ally, please see their website at <https://www.learningally.org/>.
- **Other services are available on an individual basis**

Accessible Parking

Accessible parking is available for individuals near the front of each building on campus. College of the Mainland recognizes permits issued by the state for the use of these designated spaces. For more information, contact the security office at (409) 933.8403.

Service Animals

Service dogs

According to the Americans with Disabilities Act, a service animal is any breed of dog that is trained to do work or perform tasks for the benefit of an individual with a disability. Service animals are allowed on campus and registration of your service animal with the disability services office is **not required**, however it is encouraged for the owner to contact disability services so that the disability office can assist the student and the animal and suggest additional services that might be available.

According to the Americans with Disabilities Act, service animals **can** be asked to be removed from the campus for the following reasons:

- if the animal is out of control and the handler does not take effective action to control it
- the animal is not house trained



- the animal is posing a direct threat

Miniature Horses

It is highly recommended that a student contacts the disability services office if the student is planning on bringing a miniature horse service animal on campus. According to Americans with Disabilities Act, miniature horses are only allowed if the facility can accommodate the type, size and weight and safety of the animal.

According to the Americans with Disabilities Act, a miniature horse can be removed if the following guidelines are not met:

- If the handler does not sufficient control of the miniature horse
- If the animal is not house broken
- If the animal's presence in a specific building compromises legitimate safety requirements that are necessary for safe operations

Comfort Animals

According to the Americans with Disabilities Act, a comfort animal does not qualify as a service animal since these animals have not been trained to perform a specific job or task.

Grievance Procedures

Any student who has a grievance concerning the interpretation, application or claiming violation of his or her rights as a College of the Mainland student OR feels he or she has been discriminated against on the basis of age, disability, national origin, race, religion, veteran status or sex, has the opportunity to seek resolution of such grievance. Students should refer to the College of the Mainland catalog and Student Handbook for specific information.

Questions Frequently Asked Regarding Services

Q. Can a college be held liable under the ADA if it is unaware of a student's disability?

A. No. The College's obligation to provide a reasonable accommodation applies only to known disabilities.

Q. May colleges deny services if a student refused to document his or her disability?

A. Yes. A college has no obligation to provide services to a student who refuses to provide documentation.

Q. Does a college have any obligation to provide personal services or devices?



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SERVICES FOR STUDENTS WITH DISABILITIES

A. No. An educational institution is not required to provide a student with a disability with personal or individually prescribed devices (to include personal assistants, individual personal tutors, or personal assistive technology).

Q. Does an institution have any obligation to lower its admissions standards for individuals with disabilities?

A. No. An applicant's disability should play no part in an admission decision. An institution has no obligation to lower its admission standards to admit an applicant with disabilities.

Q. What is the scope of the college's obligation to provide auxiliary aids or services to students with disabilities in the classroom?

A. An educational institution has a duty to provide reasonable accommodations in the classroom for students with known disabilities when services have been requested in a timely manner.

Q. Must an institution lower its academic standards to accommodate a student with a disability?

A. No. Accommodations are not made which would reduce academic expectation, standards, or which would eliminate essential components of any course.

Q. Does an institution's obligation extend to providing accommodations during a test to a student with a disability?

A. Yes. Reasonable accommodation must be provided if appropriate notice is given.

IMPORTANT CAMPUS CONTACT INFORMATION:

Admissions and Records	409.933.8264
Bookstore	409.933.8239
Business Office	409.933.8463
Campus Police	409.933 8403
Financial Aid	409.933.8274
Connect Transportation Services	409.945.0820



DARS

As of September 1, 2016, programs and services previously administered or delivered by the former Texas Department of Assistive and Rehabilitative Services (DARS) have been transferred by the Texas Legislature to the Texas Workforce Commission or the Texas Health and Human Services Commission.

Transferred to Texas Workforce Commission (TWC)

- [Vocational Rehabilitation Services](#)
- [Blind & Visually Impaired Services](#)
- [Criss Cole Rehabilitation Center](#)
- [Independent Living Services for Older Individuals Who Are Blind](#)
- [Business Services - Vocational Rehabilitation](#)
- [Providers' Resources - Vocational Rehabilitation](#)
- [Business Enterprises of Texas](#)
- [Rehabilitation Council of Texas](#)
- [Service Animal Information](#)
- Contact TWC Vocational Rehabilitation Inquiries:
 - - Call: 800-628-5115

- Email: customers@twc.state.tx.us



Transferred to Health & Human Services Commission (HHSC)

- [Autism Program](#)
- [Blind Children's Vocational Discovery & Development Program](#)
- [Blindness Education, Screening & Treatment Program](#)
- [Comprehensive Rehabilitation Services](#)
- [Deaf & Hard of Hearing Services](#)
- [Disability Determination](#)
- [Early Childhood Intervention Program](#)
- [Independent Living Services](#)

Help - HHSC

- Call 877-787-8999