Meeting Summary

Title 5 Rewrite Workgroup members present:
Taylor Valmores – Student Senate Representative
Sarah Funes – Student Senate Representative
Maria Gonzalez – Faculty/Counseling Academic Senate Representative
Scott Hamilton – Faculty/Counseling Academic Senate Representative
Grace Hanson – CAPED Representative
Jon James – Regional Coordinators/Academic Senate Representative
George Marcopulos – LD Field Advisory Group Representative
Denise Simpson – C2C & Autism Representative
Patie Wegman – Deaf & Hard of Hearing Advisory Group Representative
Stephen Johnson – Chief Student Services Officers Representative
Willy Duncan – Chief Executive Officers/Presidents Representative (not present)

CCCO Staff:
Scott Valverde - DSPS
Scott Berenson - DSPS
Chelle Ellenberger - DSPS
Julia Blair – Legal Affairs staff attorney
Steve Bruckman – Legal Affairs General Counsel

Contractor
Jan Galvin – The Galvin Group
Catherine Campisi – The Galvin Group

Review the purpose of the workgroup; review agenda

Jan Galvin reviewed the purpose of this meeting which was to agree on proposed changes to language and terminology for those sections where consensus was reached; and, to discuss in depth those sections that required more substantial changes.
Sixteen regulations were reviewed: Below are the section numbers and comments

Each section was reviewed, notes taken as to additions to appropriate guidelines, whether the section was approved as is or with further changes. Once approved by the workgroup Legal Affairs will provide further review to ensure citations and wording are appropriate and accurate. Each section with approved changes will be posed to the website.

Section 56000. Scope of Chapter – Updating terminology (deleting support services and using academic adjustments, auxiliary aids and services as used in Section 504. Approved and ready to be sent to Legal Affairs for review all citations to ensure currency and accuracy.

Section 56002. Student with a Disability – Deleting ‘Disabled Student.’ Approved and ready to be sent to Legal Affairs.

Section 56004. Educational Limitation – Updating terminology, deleting ‘fully benefitting from’, replacing with equal access or another appropriate term. Legal Affairs will check for appropriate replacement terminology.

Section 56005. Support Services – Updating terminology to academic adjustments, auxiliary aids and services. There remains a question on the replacement for the term ‘Special Classes’ ideas suggested included DSPS class, modified or adapted class or classes for students with disabilities. The facilitator is tasked with reviewing Basic Skills language, checking with Legal Affairs and reporting options to the workgroup.

Section 56008. Student Rights – Updating terminology to academic adjustments, auxiliary aids and services. Approved as is and ready to be sent to Legal Affairs.

Section 56020. Availability of Services – Updating terminology to academic adjustments, auxiliary aids and services. Deleting… ‘through the DSPS program.’ Approved and ready to be sent to Legal Affairs. Specific descriptors of ‘reasonable means’ will be used in guidelines.

Section 56027. Academic Adjustments – Discussion on timeliness in responding to accommodation requests. More emphasis on ‘timely’ in Guidelines. Adding ‘Compliance’ to title ADA/504 Coordinator. Approved and ready to be sent to Legal Affairs

Section 56028. Special Class Instruction – Need to determine language to replace “Special Classes.” Added in that curriculum committee shall be responsible for reviewing class offerings, otherwise approved as is and ready for Legal Affairs.

Section 56046. DSPS Program Plan – Deleting entire regulation. Approved and ready to be sent to Legal Affairs.
Section 56050. Advisory Committee – Deleting entire regulation. Approved and ready to be sent to Legal Affairs.

Section 56054. Special Projects – Leaving as is. Approved and ready to be sent to Legal Affairs.

Section 56060. Basis of Funding. – Leaving as is. Approved and ready to be sent to Legal Affairs.

Section 56068. Indirect Administrative Costs – Deleting ‘except of removal or modification of minor architectural barriers. Keeping equipment, but deleting….’ which is not in whole or part, adapted for use by students with disabilities.’ On advice from Legal Affairs, Chancellor’s Office DSPS staff will look at other categorical programs and discuss possible alignment of indirect expenses with Chancellor’s Office Student Services division prior to the next meeting.

Section 56074. Accounting for Funds – Leaving as is. Approved and ready to be sent to Legal Affairs.

Section 56076. Other resources – Leaving as is. Approved and ready to be sent to Legal Affairs.

Section 56029. Special Classes Course Repetition was deferred for later discussion.

In addition to these sections, the workgroup approved adding the term “Interactive Process” to Section 56006 and utilizing this terminology throughout the guidelines where appropriate.

Discussion of the issues that require more substantial changes

Issue One: Staffing and Minimum Qualifications

Staffing:

Section 56048 requires significant overhaul to better reflect the complex day-to-day oversight, management duties and workload of the DSPS Coordinator/Director. At many colleges a coordinator may manage multiple programs. The full-time base applies to all colleges, whether or not there is a full-time coordinator or not. DSPS coordinators/directors are fairly evenly split among all colleges between management and faculty. Suggestions were
made to keep flexibility, but build in to this regulation enough for compliance and timeliness of service delivery issues. EOPS does mandate a full time coordinator who is paid for out of general college funds. However, there is a waiver option for EOPS.

The workgroup, as a whole was tasked with generating lists of DSPS Coordinator/Director duties prior to the next meeting. This compilation will then be provided back to the workgroup in preparation for a likely vote on the following options at the next meeting:

1. Full-time coordinator;
2. Full-time coordinator, but with exception/waiver criteria established, similar to EOPS;
3. Day to Day operations clause expanded to include new list of workload expectations, but with no new mandate established for full-time status;
4. Leave as is.

Minimum qualifications:

The minimum qualifications as written in Section 53414 are confusing and need clarifying and if possible simplifying. Jon James and Grace Hanson agreed to review current coordinator/counselor/instructor minimum qualifications and present suggestions for improvements that clearly spell out the correct skill sets required to work with students with disabilities.

George Marcopulos was tasked with checking if the LDFA was interested in the development of minimum qualifications. If so, identifying the minimum qualifications for an LD specialist.

Other DSPS staffing that might require minimum qualifications is the Alternate Media Specialist. Jan Galvin was tasked with pursuing that option.

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Issue Two: Section 56026 and 56062 Support Services

Section 56026. Support Services. Updated terminology will be reflected in new title: Academic adjustments, auxiliary aids and services.

The workgroup approved using the list of 35 items listed in the DSPS Primer as the basis for this regulation. The list would be consolidated and divided into academic adjustments, auxiliary aids and service categories. Jan Galvin and Catherine Campisi will work on this task.

This list will be provided to the workgroup prior to the next meeting in preparation for a vote.
Section 56062. Provision of Support Services - generated much discussion as the regulation requires 4 or more contacts in order for a student to be counted for funding purposes. Colleges count in many different ways and there is no consistency across the state. Different options were presented such:

- Leave as is
- One service per year counts as sufficient for MIS
- One count per term (semester or quarter)
- Count each contact
- Excluding certain services such as priority registration and parking.

All workgroup members were tasked with soliciting feedback from their constituent groups prior to the next meeting in preparation of a vote.

**Issue Three: Section 56032-44. Disability Categories**

At the first meeting the group discussed the pros and cons of moving the Disability Sections out of the regulations and placing them in the BOG approved formula; the main reason being ease of adding and/or updating categories in an expedient manner. But, it was also emphasized that this may be considered by some to be a devaluation of the existing categories and might allow some colleges to circumvent the regulations. It was agreed therefore that before any further discussion Legal Affairs would need to provide an opinion on the options.

Legal Affairs stated that the procedure for adding categories to the regulations would be a relatively quick process from the legal point of view. The group, by consensus, agreed to keep the disability categories in the regulations. The group agreed to the establishment of a process and timeline for review and consideration of addition/change to the disability groups by regional representatives on an annual basis.

The workgroup supported using the categories as listed for MIS reporting with the following changes/additions:

1. ABI
2. ADHD
3. Autism Spectrum
4. Blind and Low Vision
5. Deaf and Hard of Hearing
6. Intellectual Disabilities (formally DDL)
7. Learning Disabilities (LDESM)
8. Learning Disabilities (Other or Disorders…exact title to be determined)
9. Other
10. Physical Disabilities
11. Psychological Disabilities

The disability Category of Speech/communication would be deleted and ‘Other’ used for students with speech disorders.

Workgroup members were each tasked with reviewing and updating the current and new disabilities categories prior to the next meeting, and whilst doing so review and update the relevant guidelines.

- Learning Disabilities LDESM and LD Other (Scott and George)
- Intellectual Disabilities and Autism Spectrum (Denise)
- Deaf and Hard of Hearing and ADHD and ABI (Patty)
- Blind and Low Vision (Jan and Sarah, will also ask Louis Lucerno)
- Psychological Disabilities (Will ask Kim D’Arcy and Deborah Tull)
- Physical Disability (Catherine and Jan)
- Other (Catherine and Jan)

The workgroup was also asked to seek input on where history of drug/alcohol abuse should go…’Other’ or ‘Psychological Disability.’

**Issue Four: Section 56022 Student Educational Contract**

Due to the new Student Success Regulations and the recent announcement, “...That for the DSPS program, the Student Education Contract (SEC) may be used to meet the abbreviated education plan,” discussion centered on whether or not we needed a new section entitled “Accommodation Plan.” An abbreviated education plan is one or two terms in length and is typically used for entering first time students, students on academic or progress
probation, or students who have short term educational goals at the college that can be completed by taking 1-4 courses (short term CTE certificates, ESL, or basic skills).

Jon and Scott agreed to rewrite a draft of this section, remove advising, progress requirement, annual review, instead emphasize review and update as needed based on student’s disability related needs, changes in accommodation needs, academic requirement, and other factors. Also to be noted in the guidelines that this document and signature can be electronic.

Next meeting dates

The next meetings will be held at the Chancellor’s Office on:

- February 10, 2014
- April 7, 2014

Next Steps

There is a lot of work scheduled to be completed/drafted by all workgroup participants prior to the next meeting in February. It is hoped that all drafts will be forwarded to Jan Galvin by January 24th, so that they can be condensed and sent out to the entire workgroup at least one week before February meeting.

Five sections remain to be discussed at the next meeting and documents for those will be posted prior to the meeting.

Thanks to all for a very productive meeting. Happy Holidays.