Leeward Community College
Senate Agenda
Wednesday, September 24, 2003
3:00 - 5:30 pm
AM 209

I Approval of Minutes

II Senate questions Addressed
A. Chancellor Mark Silliman will address questions from the Senate.

III Reports
A. Standing Committee Chairs:
   1. Budget and Planning—Joe Chernisky
   2. Faculty (also Ctte on Cttes)—Linda Curriean
   3. Elections—Stephanie Palumbo
   4. Academic/Institutional Support—Cindy Martin
   5. Legislative Relations—Joe
   6. Student Committee (also ODE Coordinator)—Ron Flegal
   7. Program Review—Kathy Hill
   8. Curriculum—Paul Lococo

B. Ad Hoc Committee
   1. Senate Service Committee—Mimi Nakano

C. Chair's Report
   1. BOR Meeting/Maui Community College 9/03/03 - 9/04/03.
      a. Long closed session meetings.
      b. Regent Hong invited to LCC Senate.
   2. ACCFSC Meeting.
      a. The assembled ACCFSC elected two co-chairs to set agendas, conduct meetings, and act as principle contact persons to the UH administration. This year's Co-Chairs are Mary Tiles (UHM) and Neghin Modavi (KCC).
      b. As an ACCFSC reference, a list-serve will link all current Faculty Senate Chairs. Also, Senate websites should be sent to all Chairs.
      c. Manoa resistance to proposed campus tax to support a system Banner Office under UH-IT.
         (1) Banner problem: UH letters of acceptance sent out late, lost @ 700 students to other schools.
         d. To follow up UHPA's delivery of letter (to freeze admin salaries and hiring) to BOR, UHPA requests Faculty Senates to send separate letters of support to the BOR.
         e. Community College Issues.
            (1) Articulation and transfer is complicated by + and - grades now used at UHM and the use of the N grade (LCC, HCC, WCC, MCC, Kauai CC yes, KCC?). Also, how does each campus calculate G.P.A. (all grades or drop lowest one for a repeated course)?
            f. Discussed, revised AA Degrees that reflected the new UHM Gen Ed Core at HCC (Jerry Saviano, Dave Cleveland) and at KCC (Neghin Modavi, Louise Pagota).

IV New Business
A. Review of LCC's 504/ADA Title Two, AMERICANS WITH DISABILITIES ACT, Policy for Nondiscrimination on the Basis of Disability.

B. Additional Senator from an Underrepresented Division.

C. Teaching Assignment Reduction Forms.

D. Formation of a Committee to revise LCC's A.A. degree.

V Adjournment
*Future Senate Meetings: October 15, November 5 and 26, December 10.
LEEWARD COMMUNITY COLLEGE
2003 – 2004 Faculty Senate

APPROVED Minutes of the September 24, 2003 Meeting

James Goodman, Chair
Nancy Buchanan, Vice Chair
Candace Hochstein, Secretary

SENATORS PRESENT: N. Buchanan, J. Chernisky, L. Currivan, R. Flegal, C. Ganne,
J. Goodman, K. Hill, C. Hochstein, W. Imada, P. Kennedy, G. Levy, P. Lococo, M.
Nakano, S. Palombo, R. Pfeiffer, D. Sakai, F. Sherry, S. Wood

SENATORS EXCUSED: K. Khan, C. Martin, C. Yokotake

GUESTS: B. Kupper-Herr, A. Silva, M. Silliman

CALL TO ORDER: The meeting was called to order at 3:10 p.m. with a quorum.

APPROVAL OF THE MINUTES: The minutes of the September 3, 2003 meeting
were read and approved with minor corrections to the Old Business section regarding the
Midterm Report. The minutes of the September 12, 2003 meeting were read and
approved with a minor clarification to Motion 03-30’s wording.

SPECIAL REPORT:

Chancellor Mark Silliman came to the Senate to address questions the Senate posed to
him in two memos. The first memo he responded to was on Administrative Salaries.
Chancellor Silliman stated that:
- there are no changes in salary compensation for four administrators from 2002-
  2003. They are Mark Silliman, Bernadette Howard, Mike Pecsok, Clifford Togo.
  A previous increase to the Chancellor’s salary is due to the fact that the
  Chancellor will get a raise each time the faculty receives a raise.
- Two individuals on the new reorganization chart received a salary increase
  because they changed from a nine-month to an eleven-month contract. They are
  Jack Pond as the Acting Dean of Arts & Sciences, and Jean Hara as the Acting
  Director of Planning, Policy and Assessment.
- there are two administrators who have received a salary increase due to the
  System reorganization, the Chief Academic Officer/Vice Chancellor, Doug
  Dykstra and Director for OCET, Randy Francisco. This change is due to a change
  in classification. The classification used to be labeled E (Executive) or M
  (Managerial). The Board of Reagents (BOR) changed the E and M designations
  to follow the College & University Professional Association for Human
  Resources (CUPA). This is an index of salaries from comparable positions at like
institutions. The new designation made the following increases on the given effective dates:
- 7/1/2002 salaries would be increased by 20%
- 7/1/2003 salaries would be increased by 40%
- 7/1/2004 salaries would be increased by 50%
The July 1st effective date is due to the beginning of the fiscal year.
- Depending on the hiring date for non-temporary administrative positions, LCC will have to pay the salary with the appropriate percentage increase to the individual filling the position.
- LCC’s reorganization plan still needs to be reviewed and approved by the following bodies: University System Office, Unions, and Board of Regents. Upon approval by these bodies, LCC can advertise for the positions of Director of Planning, Policy and Assessment, Dean of Career and Technical Education, and Dean of Arts and Sciences.

Lengthy discussion was generated from the information. Some of the discussion and Chancellor Silliman’s responses included:

**Question:** Was it not stated in an Executive Committee meeting that the new Chancellor position would be equivalent in pay to that of a Deputy Director?

**Response:** No, this was not what was stated. However, the Chancellors have been told that they must have private secretaries, even if they do not wish to.

**Question:** Isn’t it true that the community college faculties are closer to the 80 percentile than UHM?

**Response:** The community colleges are closer to the national median. Chancellor Silliman feels that there is a need to increase administrative salaries so that LCC can grow the next generation of leaders.

**Comment:** A comment was made that it is interesting that the BOR is interested in raising administrative salaries to be comparable to national norms. It is hoped that they would do the same for the faculty.

The Senate questioned the line item stating that Stella Ho-McGinnes (Dean of Student Services on loan to the UH system Banner team) is still paid by LCC even though she is fully released to the System Banner team. Chancellor Silliman informed the Senate that while the UH System budgeted for the software and installation of the new Banner computer system, there was no budget for any personnel. As the UH System is now finding a need to have a system team to operate with Banner, each UH campus is being asked to contribute towards the cost of having and maintaining this team. Chancellor Silliman mentioned that LCC is considering giving Stella’s position and salary as LCC’s contribution. He did say that Stella has full return rights to her position as the Dean of Student Services if she wishes to return to it and not stay with the newly formed UH Banner team. If Stella does select this option, LCC will still have to make a contribution to this system team.
The second memo Chancellor Silliman responded to had seven questions regarding the Clarification on budgetary issues. For this memo, Chancellor Silliman began with item 7, and then went to 1 through 6.

7. What does the $126,000 in the LCC budget under LCC campus reorganization costs and $30,000 UH system reorganization assessment specifically slated for?
   Response: The $126,000 is for the New Dean of Career and Technical Education and Dean of Policy and Planning. Also, a private secretary at a higher salary than what the Provost’s secretary was paid will be hired. The salary increase for the Chief Academic Officer must also be included.
   Question: Is there going to be any additional salary for support?
   Response: There may be a need for another secretary for the Dean of Arts and Sciences. Chancellor Silliman then stated that faculty should keep in mind that LCC was given a position from former Chancellor Tsunoda’s office. The individual filling this position is not returning from leave to fill this position. LCC will retain 50% the funding from that position. This money may be used towards the salary of the new secretary. LCC will have to hire this support individual at the new BOR level.
   Question: What is the projected amount for the costs going to be?
   Response: Chancellor Silliman did not know this. He said that this is a Human Resources question. He guessed that it would be approximately $5 to $10 thousand dollars.

1. Why is LCC paying for a full time Marketing Director and graphic artist when we are also paying a Marketing Assessment for the UH System?
2. Please provide detailed information for what LCC receives for contributing to the UH Marketing Assessment.
   Response: Chancellor Silliman referred the Senate to pages 2 and 3 of a handout he provided (attached to the Senate memo requesting clarification on budgetary issues) (see attachment.)

3. For the money that is given to the UH Foundation, please provide details of where the UH Foundation money goes to, and rationale for the increase in the LCC Foundation Assessment.
   Response: First, Chancellor Silliman referred the Senate to page 2 of his handout. He then went on to state that the UH Marketing Assessment of $72,659 was returned to LCC. The reimbursement was due to the press reporting how LCC and other community colleges in the system were cutting classes due to budget problems. He further stated that David McClain is looking for ways to return money back to the system. One way is to possibly give more Research & Training Revolving Fund (RTRF) money back from grants. McClain is increasing the amount of RTRF money given to the CC’s. McClain is looking at other ways to help ease the financial situation the administrators are facing with course load reduction for community college faculty.

4. What are the two Assessment charges from LCC intended for?
Response: Alumni development and administrative overhead in managing foundation accounts.

5. How much funding did LCC receive from the UH Foundation last year?
Response: LCC received $104,978 from the UH Foundation. This money is from donations specifically for LCC.

6. Precisely how much money does the UH Foundation have in its account now? If it is financially well off, what is the immediate need for the assessment from LCC for?
Response: $104,978 from the Foundation. LCC does pay a flat 2% fee back to the foundation for overhead/administrative costs. The UH Foundation itself has several million dollars but this money cannot be used for positions. Therefore the Foundation requires money from LCC and others in the system to pay for salaries.

Question: So if LCC is paying $16,954 for the UH Alumni Assessment, and $48,439 for the UH Foundation Assessment, this is approximately $65,000. What LCC actually receives from the $104,978 is more like $39,000. Please share the advantages of our donating to the foundation.
Response: Chancellor Silliman is planning to work closer with Randy Ray from the foundation to increase the amount of donations that LCC receives.

COMMITTEE REPORTS:

BUDGET AND PLANNING – Senator Chernisky agreed to Chair this committee. He is looking for other individuals who may be interested in serving on the committee with him. Senator Sherry volunteered to be on the Budget and Planning Committee with Senator Chernisky.

FACULTY COMMITTEE (Committee on Committees is a sub-committee under the Faculty Committee) – The committee plans on publishing the compiled results of the faculty survey. The committee plans to hold two open forums on different topics. The topics will be: 1. Participation in Governance, and 2. Budgetary issues.

Chair Goodman informed the Senate that the Committee on Committees will be searching for faculty members who will serve on the committee to develop the Chief Academic Officer/Vice Chancellor’s position advertisement. He stated that this committee will consist of 3 faculty members and 1 representative from the Campus Council.

ELECTIONS COMMITTEE - Senator Palombo had nothing to report at this time.

ACADEMIC/INSTITUTIONAL SUPPORT – No report at this time.

LEGISLATIVE RELATIONS – Senators Chernisky and Sherry agreed to co-chair this committee. They are searching for volunteers for their committee.
STUDENT COMMITTEE (Opening Day Experience is an activity undertaken by the Student Committee) – Senator Flegal agreed to chair this committee. He reported there is a grievance currently being reviewed.

PROGRAM REVIEW – Senator Hill reported that she is working with Senator Currivan in forming the committee. Program coordinators from each instructional area would be ideal representatives because of their knowledge of specific degree and certificate programs and that these divisions will undergo program reviews, as will all other instructional divisions offering credit courses.

CURRICULUM COMMITTEE – Senator Lococo reported that courses exist in Curriculum Central in the Modification, Addition, Deletion under Progress Report. He does not know why the courses are there, and if faculty still want them to be acted on. He is asking faculty to look at Curriculum Central under Progress Report, determine if they have any courses there, and to let him know what they want done to these courses.

SERVICE COMMITTEE – Senator Nakano had nothing to report at this time.

CHAIR’S REPORT:

Chair Goodman reported that the BOR meeting at Maui Community College (9/3/03-9/4/03) had unusually long closed meetings. Regent Hong expressed an interest in attending an LCC Senate meeting.

Chair Goodman reported that the Community College Senate Chairs would no longer have two Co-chairs from the Community Colleges. Instead, the ACCFSC decided to have one of the Co-chairs be from UHM (Mary Tiles) and one from the CC’s (Neghin Modavi, KCC). The two co-chairs will act as the principle contact persons to the UH administration, create a list-serve which will link all current Faculty Senate Chairs, and create Senate websites that will be sent to all Chairs.

The following information/requests were shared:

-UH Manoa is resistant to the proposed housing of the System Banner office being located under the UHM Information Technology (IT) office on the Manoa campus.

-There was a Banner problem issuing UHM acceptance letters in a timely manner. It is estimated that may have lost up to 700 students to other institutions due to this problem.

-UHPA asked all Faculty Senates to send a letter to the BOR stating their support of UHPA’s resolution on freezing administrative salaries and hiring until a general salary increase is received by the faculty. This request was made because it was felt that support letters would give strength to UHPA’s letter and resolution. The idea of lending strength to UHPA’s letter and resolution was emphasized when senators recalled that earlier Chancellor Silliman stated that the
BOR appears committed to raising the administrator’s salaries to be competitive with national norms. It was felt that it would be good to remind the BOR of its commitment to the faculty of the UH system.

MOTION 03-31 (Imada/Chernisky) To have LCC Faculty Senate Chair send a letter to the BOR in support of the UHPA resolution and letter.

PASSED-Y=13, N=1, Ab=1

-Community College Issues – the following issues were brought up. No discussion followed. They were tabled until the next meeting:
  -articulation and transfer complications caused by UHM using + and – in their grading system,
  -the use of the N grade by the CC’s, how each UH campus calculates the grade point average for their campus,
  -the need to review LCC’s AA degree to reflect the new UHM General Education requirements as HCC and KCC have done.

NEW BUSINESS:

Review of LCC’s 504/ADA Title Two, Americans with Disabilities Act, Policy for Nondiscrimination on the Basis of Disability – Presented by Beth Kupper-Herr (LRC Coordinator) and Aulii Silva (504 Coordinator)

-The document presented is the grandchild of a document originally put together by Lynn Douglas, former Learning Disability Specialist. The document had been reviewed by Jane Jarrow, consultant and President of DIAS (Disability Access Information & Support). The Senators were emailed the 33 page document, and shown a binder or supporting documentation. The appendices folder is located in the KI office.

This document will accomplish three main things:
  1. Protect the College by stating how LCC treats students with disabilities, and how this meets legal requirements.
  2. Protect the students.
  3. Lay out a clear structure of operating procedures for the KI office.

The policy and appendices will eventually be put on the web.

Discussion following the presentation supported the document presented and the intent behind it. There was concern regarding the wording of specific areas. The senators required clarification on the policy. The concerns were noted by Beth Kupper-Herr and would be presented to the KI coordinator. The following items were the main points of what the Senate voiced:
  1. Disclosing disability in a timely manner to faculty.
2. Appropriate steps that faculty may take if they feel that the student was stretching their accommodation beyond what was reasonable.

3. There was concern with the wording on page 9, 5th bullet under Leeward Community College has the right to:...section. "...or programmatic importance confirmed by an appropriate administrative decision maker;..." It was felt that the final decision should always be with the faculty member and that the administrator's decision should be to support the faculty's decision.

4. It was recommended that the UH system legal office review the document to make sure it meets legal standards.

Motion 03-32: (Currivan/Buchanan) To accept the Leeward Community College 504/ADA Title Two American with Disabilities Act Policy for Nondiscrimination on the Basis of Disability as proposed with the recommendations given.

PASSED-Y=15, N=0, Ab=0

The issue of having an additional Senator from an under represented division was discussed. No action was taken at this time.

The Teaching Assignment Reduction Form(s) was discussed. A second teaching assignment reduction form was created and has been recognized by the Chief Academic Officer/Vice Chancellor, Doug Dykstra. Senators may share the form with faculty as there are two recognized teaching assignment reduction forms at LCC. It was agreed that this form should reside with the Division Chairs only.

Formation of a Committee to revise LCC's AA degree was discussed. Chair Goodman asked Senator Lococo as the Curriculum Committee Chair to work on forming this committee and discussing the issue. There is a concern that LCC should be in line with what UH Manoa was doing in regards to General Education. It was suggested that the committee include a member from the AA task force (Senator Currivan was LCC's representative) and should review the System report on general education by BK Gussman. This was done sometime in the 1980's. Due to these concerns, Senator Lococo stated that he wanted to keep this committee broad based and include all appropriate parties.

ADJOURNMENT: The meeting was adjourned at 5:38 PM.

RESPECTFULLY SUBMITTED: Candace Hochstein, Secretary
TO: Mark Silliman, Chancellor
FROM: Faculty Senate
RE: Clarification on budgetary issues

The Faculty Senate requests information regarding the following issues:

1. Why is LCC paying for a full time Marketing Director and graphic artist when we are also paying a Marketing Assessment for the UH System? (see pages 2-3)

2. Please provide detailed information for what LCC receives for contributing to the UH Marketing Assessment. (see pages 2-3)

3. For the money that is given to the UH Foundation, please provide details of where the UH Foundation money goes to, and rational for the increase in the LCC Foundation Assessment. (see reverse side)

4. What are the two Assessment charges from LCC intended for?
   - Alumni development and administrative overhead in managing foundation accounts
   - Vice Chancellor — $15,000

5. How much funding did LCC receive from the UH Foundation last year? ($104,978)

6. Precisely how much money does the UH Foundation have in its account now? If it is financially well off, what is the immediate need for the Assessment from LCC for?

7. What does the $126,000 in the LCC budget under LCC campus reorganization costs and $30,000 UH system reorganization assessment specifically slated for?

  - Private Secretary II — $15,000
  - Vice Chancellor — $15,000
  - UH Alumni Assessment — $16,954
  - UH Foundation Assessment — $48,439
  - UH Foundation Fund Developer (50%) — $30,000 (Sharon Aoki - 11/3/03)
  - UH Marketing Assessment (returned 9/9) — $72,659
  - UH Risk Management Assessment — $64,733
  - LCC Restructuring Cost (est. for 2 positions) — $126,000 (Dean of CTE + DPPA)
University of Hawaii Foundation

Report A016 – Results by Source
01-JUL-02 to 30-JUN-03
Unit: LCC
Campaign Code: CENT

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**TOTALS:** $99,878 $5,100 $0 $0 $0 $104,978 $104,978

**Cash Received:** $106,025 *(includes pledge payments from previous pledges)*

**Deferred Gifts Realized:** $0 *(includes realized deferred gifts from planned gifts counted in previous campaign)*
How would (will) the UH System use the Marketing Assessment Funds?
The UH System Marketing Assessment was originally designated for a major campaign for the roll out of the new logo and system “brand identity.” This campaign was to include print, radio, television and online advertisements, coordinated by an advertising agency.

During the past academic year, when Paul Costello (VP, External Affairs/University Relations [EAUR]) and Phil Kinnicutt (EAUR Director of Marketing and Brand Management) were asked about their roles in marketing for specific campuses, their replies indicated the following:
1. UH EAUR would handle “image” marketing and general recruitment for the entire system, with an emphasis on mainland marketing.
2. Each individual campus would still be responsible for its own marketing and recruitment plans.
3. UH EAUR would be available to help and advise individual campuses.

If the UH System is handling marketing, why do we have an LCC Marketing Officer?
The LCC Marketing Officer position handles publications and communication initiatives as well as marketing (see list of duties and projects below) and supervises the Graphic Designer. Each year, marketing goals are evaluated and adjusted to deal with any changes in the environment.

When the College’s capacity to offer classes in Fall and Spring semesters preclude aggressive recruitment, the focus shifts to revenue generating activities such as Winter and Summer Sessions, non-credit enrollment, fund development, and assisting with legislative lobbying. Additionally, communication projects, such as improving on-campus information as an aid in retention, are given a higher priority. Even during times of fiscal challenges, it is critical to keep our name and mission in the community’s mind, so that when the budget crisis evolves into its next shape, we are positioned to continue our growth, whether it is in the number of students in credit or non-credit courses, or in increased donations to the College.

Marketing Officer Duties:
Coordinate the production of all College publications including, but not limited to College catalog, schedule of courses, and all external publications, to ensure quality and compliance with system standards;
Inform staff on the various computer systems in support of class schedules and catalog development and troubleshoots problems encountered in the use of these systems;
Develop publication timelines and coordinates the production of College publications;
Implements a comprehensive institutional marketing and recruitment plan;
Coordinates and oversees advertising to promote the College and its schedules and programs;
Develops and approves content for College websites;
Serves as the College representative on the UH Communication Council and works with the UH Community Colleges system on joint marketing activities and communication policies;
Supervises and directs graphic arts and media staff in the production of printed and online materials reflecting the College’s mission and its programs, including all promotional materials; websites and external publications;
Determines need for and supervises staff, as delegated by the Provost Office, in the creation and production for the College marketing for student recruitment program;
Other duties as assigned.

LCC Creative Services
Creative Services provides communications and marketing services to the College.

CS Goals
- to effectively communicate with the public while establishing and maintaining the College identity with its diverse audiences
- to support the educational and promotional initiatives of the College
- to ensure that college publications maintain a unified identity that is appealing, intelligent, interesting, professional, and in compliance with University regulations
- to assist the campus community in producing the printed materials needed throughout the year using the most economical and efficient processes possible
- to provide campus clients with the creative communications expertise, production knowledge, and production management
- to communicate a positive image of the College as effectively and efficiently as possible
- to inform the communities served by the college of the wide variety of programs and support services offered at LCC

Creative Services Staff
Kathleen Cabral, Marketing and Communications Coordinator, ext. 524
e-mail: kcabral@hawaii.edu
Wendy Hakoda, Graphic Designer, ext. 531
e-mail: whakoda@hawaii.edu

Roles & Responsibilities
Kathleen Cabral, Marketing and Communications Coordinator, oversees the operations of Creative Services and sets all production priorities. She coordinates the production of all College publications; develops publication timelines; creates and implements a comprehensive institutional marketing plan; coordinates and oversees advertising to promote the College and its programs; serves as the College representative on the UH Communication Council; and supervises and directs the Graphic Designer. Wendy Hakoda, the Graphic Designer, designs and creates artwork, layouts, displays and the visualization of concepts for all communication projects. Together, they work as a team to create a variety of projects each year for the College.

Creative Service Projects
The primary responsibilities of Creative Services include the following:
- College catalog
- Credit class schedule
- Continuing Education & Workforce Development catalog/schedule
- Commencement materials
- Student Handbook
- Print and electronic media advertising
- Institutional brochures
- On-campus Communication sign holders

In addition to these major projects, Creative Services produces many other publications, flyers, brochures, posters, postcards, signs and various printed materials for College programs, activities and events. Major projects, such as the Catalog and Schedule of Classes, will always take priority over all other publications and projects.
TO: Mark Silliman, Chancellor
FROM: Faculty Senate
RE: Request for information on Administrative Salaries

The Faculty Senate would like to know what the changes in Administrative salaries are from before the reorganization to today. This includes the UH system and LCC reorganization.

Cc: Douglas Dykstra, Interim Vice Chancellor and Chief Academic Officer
## Leeward Community College
### Administrative Salary

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<td>Dean of Student Services</td>
<td>Dean of Student Services</td>
<td>Stella Ho-McGinnes</td>
<td>75,432</td>
<td>75,432</td>
<td>-</td>
<td>On Special Assignment, Usato Acting</td>
</tr>
<tr>
<td>Director for OCET</td>
<td>Director of Admin Services</td>
<td>Randall Francisco</td>
<td>56,304</td>
<td>61,920</td>
<td>5,616</td>
<td>BOR Policy Salary Placement</td>
</tr>
<tr>
<td>Director of Admin Services</td>
<td>Director of Plan, Policy, &amp; Assmt</td>
<td>Clifford Togo</td>
<td>71,184</td>
<td>71,184</td>
<td>-</td>
<td>No change in salary</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Jean Hara, Acting</td>
<td></td>
<td>69,120</td>
<td>-</td>
<td>NA Professor TA, 11 months</td>
</tr>
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* Index of comparable positions at like institutions.

BOR Managerial Salary placement policy:
- 20%, 7/1/02: Deferred, no adjustments made
- 40%, 7/1/03: New hires being placed at 20%, effective 7/03
- Median, 7/1/04

Additional cost for 2 Administrators
- Hara: 69,120
- Pond: 80,520

Total: 149,640
LEEWARD
COMMUNITY COLLEGE

504/ADA Title Two

AMERICANS WITH DISABILITIES ACT

Policy for Nondiscrimination on the Basis of Disability
Acknowledgements

Appreciation and recognition is given to the following sources from which information has been compiled/extracted:

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University of Buffalo, Buffalo, NY
University of Colorado, Boulder, CO
University of Connecticut, Storrs, CT
University of Hawai'i/Hilo, Hilo, HI
University of Hawai'i/Manoa, Honolulu, HI
University of Michigan, Ann Arbor, MI
University of Nevada, Las Vegas, NV
University of Wisconsin-Platteville, Platteville, WI
Vassar College, Poughkeepsie, NY
various textbooks and related publications
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I. Introduction
A. Philosophy of Leeward Community College
It is the philosophy of Leeward Community College to respond to the wide range of educational needs of the people in our community. Leeward Community College is dedicated to the belief in the dignity and potential of each individual and the power of that belief to help people learn and grow. Indeed, our motto is “To Help People Learn.” Leeward Community College is committed to providing an educational environment that accepts people as they are and fosters the development of each student’s unique talents. At Leeward Community College, education is a cooperative endeavor in which students, faculty, and staff share responsibility.

B. Mission of Leeward Community College
As one of the seven community colleges in the State of Hawai’i, administered as part of the University of Hawai’i, the overall mission of Leeward Community College is:

- To broaden access to post-secondary colleges in the State of Hawai’i by providing open-door opportunities for students to enter quality educational programs within their community;
- To provide vocational and technical programs that both prepare students for immediate employment and provide the paraprofessional and trained work force needed by the State;
- To specialize in the effective teaching of general education and other introductory liberal arts and pre-professional courses;
- To provide opportunities for personal enrichment, occupational upgrading, and career mobility through credit and non-credit courses and activities;
- To contribute to and stimulate the cultural and intellectual life of the community by providing leadership, knowledge, problem-solving skills, and general informational services in which the College has a special competence; and, by providing opportunities for community members to develop their creativity and appreciate the creative endeavors of others.

Within this context, the special mission of Leeward Community College is to serve the residents of the communities of Leeward and Central Oahu in particular, and the State, in general, by providing a balanced and comprehensive offering of programs, services and educational opportunities in on-campus and off-campus locations. Through effective teaching and supportive services, LCC prepares students for success as individuals, as members of a democratic society, and as citizens of a rapidly changing world.

C. Definitions:
- "Persons with disabilities" means persons who have a physical or mental impairment, which substantially limit one or more major life activities, have a record of such impairment, or are regarded as having such impairment.
- "Major life activities" means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- A "qualified person with a disability" is defined as one who meets the academic and technical standards requisite to admission or participation in the College programs and activities (Federal Register Department of Education Part II, Establishment of Title 34).
A "student with a disability" is a person who has registered as a college student, identified him or herself as a person with a disability through appropriate channels, provided documentation of status as a person with a disability, requested protection/consideration, and followed established procedures to receive such protection or accommodation as needed. Note: It is not appropriate to provide accommodations in retrospect.

"Reasonable accommodation" means program modification and academic adjustments as deemed appropriate in an individual situation. Support services and auxiliary aids are examples of reasonable accommodations, which may be made available under specific circumstances. Accommodations are a right as defined by law not a privilege.

"Auxiliary aids" means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by the College. For example, auxiliary aids useful for persons with impaired vision may include readers, Braille materials, audio recordings, and other similar services and devices. Auxiliary aids useful for persons with impaired hearing may include telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices for deaf persons (TTY/TDDs), interpreters, computer-aided real-time transcription (CART), captioning, note takers, written materials, and other similar services and devices.

II. Federal Law Summaries and Policy Statements
A. Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 states that...

- "No otherwise qualified individual with a disability in the United States shall, solely by reason of disability, be denied the benefits of, be excluded from the participation in, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

A person with a disability includes any person who...

- has a physical or mental impairment which substantially limits one or more major life activities [including walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, and performing manual tasks],
- has a record of such an impairment, or
- is regarded as having such an impairment."

A "qualified person with a disability" is defined as one...

- "who meets the academic and technical standards requisite to admission or participation in the education program or activity."
- Disabilities covered by legislation include (but are not limited to) AIDS, blindness, cancer, cerebral palsy, diabetes, epilepsy, head injuries, hearing disabilities, specific learning disabilities, loss of limb(s), multiple sclerosis, muscular dystrophy, emotional disabilities, speech disabilities, spinal cord injuries, and vision disabilities.

Under the provisions of Section 504 of the Rehabilitation Act of 1973...

- The College may not discriminate in the recruitment, admission, educational process, or treatment of students. Students who have self-identified, provided documentation of disability, and requested reasonable accommodations are entitled to receive

1 Appendix A. Section 504, Rehabilitation Act of 1973
approved modifications of programs, appropriate academic adjustments, or auxiliary aids that enable them to participate in and benefit from all educational programs and activities.

A college or university may not:

- Limit the number of students with disabilities admitted
- Make pre-admission inquiries as to whether or not an applicant has a disability
- Use admission tests or criteria that inadequately measure the academic level of students with visual, hearing or other disabilities because provisions were not made for them
- Exclude a student with a disability from any course of study solely on the basis of his/her disability
- Counsel students with disabilities towards a more restrictive career than students without disabilities, unless such counsel is based on strict licensing or certification requirements in the profession
- Measure student achievement using modes that adversely discriminate against students with disabilities
- Institute prohibitive rules that may adversely affect the performance of students with disabilities

Modifications and accommodations for students with disabilities include:

- Architectural barrier removal
- Services such as readers for students with blindness, low vision or learning disabilities, qualified interpreters and note takers for students who are deaf or hard of hearing, and note takers for students with learning disabilities or orthopedic disabilities
- Modifications or substitutions of courses in major fields of study or degree requirements on a case-by-case basis (such accommodation need not be made if the institution can demonstrate that the changes requested would substantially alter essential elements of the course or program)
- Extra time to complete exams
- Exams individually proctored, read orally, dictated, or typed
- Alternative formats and methods for students to demonstrate course mastery
- Computer software programs or other assistive technological devices to assist in test taking
- Availability of such learning aids as tape players and word processors

B. Americans with Disabilities Act of 1990

Section 504 of the Rehabilitation Act of 1973 contains more specific information about compliance issues in post-secondary education than the Americans with Disabilities Act (ADA) of 1990. The ADA did extend the law to cover private institutions of higher education as well as those receiving Federal funding. Colleges and universities have experienced more rigid enforcement of the law with the passage of the ADA due to an increased awareness by people with disabilities about their rights to equal access to programs and services.

Recent Legal Decisions:

- A college must provide accommodations. Students are not required to assume the responsibility for securing a necessary accommodation. A college is required to
provide reasonable accommodations for a student's known disability so that the student has an equal opportunity to participate in the courses, activities, or programs. The Office of Civil Rights (OCR) ruled that a college may not charge students for necessary accommodations.

- **Expense of accommodation is not undue hardship.** Providing an auxiliary aid or incurring an expense to ensure access would not constitute undue hardship to a college. In determining what constitutes an undue hardship, the OCR views the entire financial resources of a college or university rather than any single department.

- **Classroom must be accessible.** A classroom's location must be changed to provide accessibility for a student with a mobility disability. A college does not need to make every classroom accessible, but must provide for the participation of students with disabilities when "viewed in its entirety."

- **Extended time.** Extended time is a reasonable accommodation for a student whose documentation specifically requires it. A college is required to ensure that the student is provided additional time to complete tests in order to provide an equal opportunity for that student.

- **Accommodation must be documented.** A college may refuse to grant a student's request for an accommodation that is not specifically recommended in the student's documentation.

- **Handouts in alternate format.** If a student with a visual disability is enrolled in a class, all handouts must be provided in an appropriate alternate format.

- **Diagnostic information confidential.** Faculty/staff do not have the right to access diagnostic information regarding a student's disability. Faculty/staff need only know the accommodations that are necessary to provide an equal opportunity for the student.

- **Personal liability.** An individual faculty member who fails to provide an accommodation to a student with a documented disability may be held personally liable.

- **Academic freedom.** Academic freedom does not permit instructors to decide if they will provide special aids and services for students with documented disabilities in the classroom.

- **Personal services and aids.** A college is not required to provide personal services such as attendant care or personal aids such as wheelchairs or eyeglasses.

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**C. Policy Statement of Leeward Community College**

It is the policy of Leeward Community College to comply with Section 504 of the Rehabilitation Act of 1973, The Americans with Disabilities Act of 1990 (ADA) and other applicable Federal, state, and University of Hawai'i Community College system regulations that prohibit discrimination on the basis of disability. The Rehabilitation Act requires that no otherwise qualified person shall, solely by reason of disability, be denied access to, participation in, or the benefits of, any program or activity operated by the College. Each qualified student shall receive reasonable accommodations to ensure equal access to employment, educational opportunities, programs and activities, in the most appropriate integrated setting. A "qualified" student with a disability is one "who meets the academic and technical standards requisite to admission or participation in the education program or activity with or without accommodation."

It is the position of Leeward Community College that people with disabilities must be full members of the educational community. For this to occur, every member of the College community must accept responsibility for being aware of and responsive to the particular
needs of people with disabilities. The College recognizes that traditional methods, programs, and services may not accommodate the needs of some persons with disabilities. The policy and guidelines set forth in this document are intended to provide direction in eliminating discrimination and in assuring reasonable accommodation. Appendix C includes the Discrimination Complaint Procedures for Employees, Students, and Applicants for Employment or Admission.

III. Rights and Responsibilities

A. The Institution

Leeward Community College has the responsibility to:

- Provide information to students with disabilities and assure its availability in accessible formats upon request;
- Ensure that programs, activities and services of the College, when viewed in their entirety are available and useable in the most integrated and appropriate settings;
- Work with students who request accommodations to identify the most feasible and effective accommodation for each student's needs within the context of the essential elements of the course or program in question;
- Provide reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids for students with disabilities upon a timely request from the student;
- Maintain appropriate confidentiality of records and communication except where permitted by law.

Leeward Community College has the right to:

- Maintain the College’s academic standards;
- Request and receive appropriate professional documentation that supports requests for accommodations, academic adjustments, and/or auxiliary aids and services;
- Suggest the most cost effective accommodations, academic adjustments, and/or auxiliary aids and services which are responsive to a particular situation;
- Defefer action on a request for accommodation until completed documentation supporting the existence of the claimed disability and appropriateness of the requested accommodation is provided;
- Decline to provide an accommodation when to agree would require a waiver or alteration of an essential element of a course or program, provided that no such decision shall be valid until the essential element in question has been identified and its academic or programmatic importance confirmed by an appropriate administrative decision maker;
- Refuse to provide an accommodation, adjustment, and/or auxiliary aid or service, the provision of which would impose an undue financial burden on the institution.

B. Persons with Disabilities

Students with disabilities at Leeward Community College have the responsibility to:

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3 Appendix C. Discrimination Complaint Procedures for Employees, Students and Applicants for Employment or Admission.
504/ADA Title Two – Americans with Disabilities Act
Policy for Nondiscrimination on the Basis of Disability

- Meet the College's qualifications and maintain essential technical, academic and institutional standards;
- Adhere to school policies and student code of conduct;
- Inform the College when a known disability makes an accommodation necessary to perform successfully in a particular course or program;
- Provide appropriate professional documentation that indicates how the disability limits participation in programs, activities and services of the College; and,
- Follow specified procedures in a timely manner for obtaining reasonable accommodations, academic adjustments, and/or auxiliary aids and services.

Students with disabilities at Leeward Community College have the right to:
- Equal access to programs, activities and services of the College;
- Reasonable accommodations, academic adjustments, and/or auxiliary aids and services based on documented disabilities and its functional limitations;
- Appropriate confidentiality of all information concerning their disability except as disclosures are required or permitted by law; and,
- Information, reasonably available in accessible formats.

IV. Guidelines for Policy Implementation
A. General
1. Disability Access Advisory Committee (DAAC)
The Chancellor of Leeward Community College or designee shall establish and appoint a Disability Access Advisory Committee (DAAC). Membership of DAAC should include, but not limited to, representatives from Student Services, Facilities Management, Academic Support and Instruction. The DAAC could meet approximately four times annually for the following purposes:

- The Committee shall be an active participant in short and long range campus planning related to compliance with Federal accessibility standards, including the prioritizing of accessibility improvements to our facilities in order to meet those requirements.
- The Committee shall be the forum for discussion of College policies, procedures, programs, facilities, and other matters that assure the full inclusion of people with disabilities into our diverse College community.
- The Committee shall serve to review matters related to disability access and, when possible, reach consensus on practical courses of action. When necessary, it shall make recommendations to the Administration on its findings.

2. Services for Students with Disabilities Office (SSD)
Services for Students with Disabilities (SSD) is the official title of Leeward Community College's office servicing all qualified students with disabilities and is used throughout this policy. Kako'o 'Ike is the name of the program designed to provide support and services for students with documented disabilities. "Kako'o 'Ike" means support for learning/knowledge and is the initial entry point for Leeward Community College students requesting reasonable accommodations, academic adjustments, and/or auxiliary aids and services. The Kako'o 'Ike (KI) program is located in room L-208 across from the elevator in the Library Building. The SSD or KI Coordinator is the professional responsible for the operations of the KI program.
B. Accessibility of Facilities

1. General
Qualified persons with disabilities may not be denied the benefits of or be excluded from participation in Leeward Community College programs or activities due to inaccessible facilities.

2. Existing Facilities and Renovations
Each program or activity will be operated so that, when viewed in its entirety, it is accessible to qualified persons with disabilities. Methods that offer programs and activities to persons with disabilities in the most integrated setting appropriate will be emphasized. Modifications to ensure accessibility may include:

- relocation of classes
- priority registration (this can serve to limit the impact of classes being moved)
- installation of appropriate signage
- delivery of counseling, advisory, and support services at accessible sites
- accessible parking
- structural alterations where necessary and appropriate

Renovations and other facilities modification projects shall be consistent with ADAAG (ADA Architectural Accessibility Guidelines).

3. Parking
There are accessible parking stalls in all campus parking lots. To park in an accessible stall, a disabled parking placard issued by the State of Hawai’i is required during all days and hours that the parking lots are available to the public.

4. New Construction
Facilities, or parts of facilities, constructed for the use of Leeward Community College must be designed and built to allow persons with disabilities convenient and safe access. New construction must be planned in accordance with ADAAG.

5. Off-Campus Facilities
Every effort will be taken to assure that Leeward Community College classes, programs or activities conducted off-campus will be in accessible locations. Contractual or lease agreements shall require notification if a location does not meet the physical accessibility standards of ADAAG/UFAS (Uniform Federal Accessibility Standards).

6. Emergency Evacuation
Leeward Community College recognizes its responsibility to meet the needs of all students in the event of emergency evacuation. The College understands that the population of students with disabilities may require special assistance in the evacuation process. The DAAC will examine and make appropriate recommendations as needed for updating the emergency evacuation plan.

C. Educational Programs and Activities Policies

1. Confidentiality

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4 Appendix D. ADA Accessibility Guidelines for Buildings and Facilities (ADAAG)
5 Appendix E. Uniform Federal Accessibility Standards
SSD requires current documentation of a disabling condition that supports the request for academic/environmental adjustments and/or auxiliary aids and services. It is the College’s policy to protect the confidentiality of medical or psychological records as a matter of privacy and as a barrier to discrimination. However, the College also recognizes that there are circumstances that may require the release of disability-related information contained in the student's record on a “demonstrated need to know” basis. These instances may include, but are not limited to, information needed:

- for the safety of the student or others;
- to investigate or settle certain disciplinary cases;
- to settle a formal complaint or lawsuit against the College including court order;
- about the functional limitations of the student for purposes of imparting insight into the need for or approach to providing reasonable accommodations;
- internally within SSD Office based on a legitimate educational reason; and/or,
- for outcome data summary reports.

2. Recruitment, Admissions and Enrollment
The Leeward Community College “Open Door Policy” seeks diversity in its student body that reflects our pluralistic society. Qualified persons may not, on the basis of disability, be denied admission to, enrollment in, or participation in College programs or activities, or be discriminated against in admissions or recruitment. The number or proportion of persons admitted will not be limited on the basis of disability.

Inquiries as to whether applicants for admission and registration are persons with disabilities may not be made and are prohibited by Federal law. Materials related to voluntary requests for campus information regarding programs and services for persons with disabilities may be disseminated. Confidential post-admission inquiries on behalf of SSD regarding disabilities that may require reasonable accommodation are permissible.

3. Academic Requirements
Academic requirements may be modified, as necessary, to ensure that they do not discriminate against students with disabilities if the requirements are not essential to the integrity of the student's academic program. These modifications shall not affect the substance of the educational programs or compromise educational standards. The College has the right to identify and establish the abilities, skills, and knowledge that are fundamental to academic programs/courses and to evaluate each student's performance against these standards. Technical standards that are necessary for safe and effective practice are not regarded as discriminatory. Modifications may include:

- changes in length of time permitted for the completion of degree requirements
- adaptation of the manner in which specific courses are conducted
- substitution or waiver of specific courses required for the completion of degrees.

4. Auxiliary Aids and Services
Qualified students may request auxiliary aids and services, which the College will provide if they are deemed reasonable and appropriate. Students will also be encouraged to apply for auxiliary aids and services through the State of Hawai'i Division of Vocational Rehabilitation.
Personal Aids and Services: The institution is not responsible for providing aids or services of a personal nature (e.g., personal care attendants, readers for personal use or study).

Timely Requests: It is the responsibility of the student to request auxiliary aids or services in a timely manner. Requests not made in a timely manner will be addressed as soon as reasonably possible.

In-Classroom Aids: The use of dog guides, tape recorders, braillers or other adaptive devices in the classrooms or campus buildings shall not be restricted. Tape recordings or transcriptions of lectures may not be used for any purpose that would interfere with the rights of an instructor, nor can the taped material be duplicated. Violation of this provision may result in disciplinary action under the Student Conduct Code. When a student needs to tape record a class that may involve discussion of matters of a sensitive or confidential nature, the student (or instructor) should consult with the SSD Coordinator as soon as he/she becomes aware of the situation in order to develop an appropriate plan for handling the situation.

Deposits for Auxiliary Aids: Students may be required to put down a deposit for auxiliary aids that are loaned to them, which will be returned when they return the aid. The College reserves the right to charge a student for the cost of replacing an aid if it is not returned, or for repairing an aid if it is returned in a condition that is beyond normal "wear and tear."

5. Placement Tests, Program Examination and Evaluations
Placement tests that are administered by the College shall meet the following criteria:

- If placement test accommodations are necessary, it is the responsibility of the individual taking the test to make special needs known before the test date. Students must submit requests to SSD and appropriate information as necessary to substantiate accommodation requests that require timely arrangement of auxiliary aids and/or services.

- The granting of accommodations for placement testing shall in no way obligate the College for further granting of accommodations following admissions without the student's meeting the obligation to provide documentation of disability and need for accommodations.

Examinations or other procedures for evaluating students' academic achievement may be modified to better evaluate the achievement of students with disabilities. The results of the evaluation should represent the students' achievement in the program or activity, rather than reflecting the students' disability. If a student takes an examination outside of the instructor's immediate supervision, or at a different time than other students, or with accommodations, the examination should be of the same degree of difficulty as that given to other students. It is the student's responsibility to request test accommodations in a timely manner.

Testing accommodations, if requested in a timely manner, may include but are not limited to:

- readers
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- oral tests
- scribes/transcribers
- use of adaptive equipment
- alternative media (e.g., Braille, audiotape, large print)
- extended test time
- distraction-free test environment

6. Financial Aid
Leeward Community College shall provide financial assistance to eligible, qualified students regardless of disabilities. Like any College student, a student with a disability may file an appeal with the Financial Aid Office if he/she is not satisfied with a financial aid award. Appeals will be decided on a case-by-case basis within the limits of Federal regulations governing the awarding of Federal financial aid.

7. Student Employment
Employment through Leeward Community College is open to all qualified students. The Director of Human Resources will work with a student with a disability and the appropriate employer on campus to provide reasonable and appropriate job accommodations.

8. Counseling and Academic Advising
Personal and career counseling/guidance, as well as academic advising, shall be available in an accessible setting and provided in a nondiscriminatory manner. Specifically, qualified students with disabilities must not be counseled toward more restrictive career objectives than are non-disabled students with similar interests and abilities.

9. Student Health Center
The College will provide the same types and levels of health-related services for all LCC students with or without disabilities. These services include health screening, acute illness diagnosis, treatment and prescription drug services and information related to student medical insurance applications. The Student Health Center is also the emergency medical system entry point for anyone disabled or injured on campus.

10. Student Clubs and Organizations
All Leeward Community College recognized activities will be fully accessible to qualified persons with disabilities. It is the responsibility of the sponsoring organization to provide reasonable accommodations upon request. The College shall deny or withdraw recognition of, or assistance to any extracurricular activity and/or campus organization that discriminates against individuals based on their disability.

11. Computer Access
Qualified students with disabilities shall have equal access to the use of computers on campus. College units responsible for computer technology shall consider the acquisition and implementation of software and hardware that promotes equal access for individuals with disabilities and make such equipment available as appropriate.

12. Student Teaching and Externships
Qualified students with disabilities participating in externships shall receive full access to the educational opportunities afforded by these assignments. Following acceptance into an externship, programs that have technical standards necessary for safe and effective practice may make inquiries as to whether a student has a disability. If auxiliary aids or services are required, their provision will be negotiated between the College and the cooperating agency or organization.

13. Distance Education
Until a UH system-wide policy governing the provision of accommodations for students enrolled in distance education programs is adopted, Leeward Community College shall handle requests for accommodations by students with disabilities on a case-by-case basis. The SSD office will work with the student and the appropriate personnel at the distance education site to provide accommodations.

14. Office of Continuing Education and Training (OCET)
Qualified students with disabilities who are enrolled in courses through OCET shall apply for accommodations and services through the SSD office located on the main campus. Especially given the frequency and length of most OCET courses, it is imperative that the student request accommodations in a timely manner, preferably when registration for the course takes place.

D. Public Events
Leeward Community College recognizes its obligation to provide overall program accessibility for persons with disabilities who participate in events that are open to the public, such as conferences and graduation ceremonies. Staff members responsible for coordinating public events shall follow the procedures described below to ensure accessibility.

- In planning events, staff members should refer to the following reference guides:
  - State of Hawai‘i Disability Access to Programs and Services Manual
  - How to Make Meetings & Conferences Accessible for Persons with Disabilities

- In addition, the SSD Coordinator and the 504 Coordinator shall be available as resources.
- Designate a staff member to handle requests for accommodations.
- Include the following announcement on registration forms, brochures, fliers, press releases, and invitations:
  
  For disability accommodations, contact [name] at [phone*] (Voice/TTY) by [date].

- The phone number should be accessible by a TTY (telecommunication device for the deaf and hard of hearing). If the office of the designated staff member does not have a TTY, the phone number of the SSD Office (455-0532) may be used and the contact person would be the name of the SSD Coordinator.

- For simple accommodation requests (e.g., accessible parking maps, front-row seating), the designated staff member shall contact the appropriate offices directly to arrange the accommodation.
504/ADA Title Two – Americans with Disabilities Act
Policy for Nondiscrimination on the Basis of Disability

- For other accommodation requests, the designated staff member shall follow the steps described in the Appendix F. This process may not be necessary if the staff member determines that the request is reasonable or has obtained sufficient guidance from the references listed above. However, if the staff member is unsure about how to respond to a request, or has any doubt about the appropriateness and/or reasonableness of an accommodation, he/she shall follow the steps described on the form. The process is designed to provide guidance and support for staff members who have received a request for an accommodation.
- For public events held at Leeward Community College facilities but sponsored or organized by outside entities (such as meetings of non-College organizations that use rooms on campus), it is the responsibility of Leeward Community College to ensure that all facilities to be used are accessible. However, it is the responsibility of the sponsoring or organizing group to ensure programmatic accessibility.
- Members of the public who wish to file a complaint regarding access to College programs, services, and activities shall be informed of the “ADA/Section 504 Complaint Procedures for Members of the Public” (Appendix G).

V. Services for Students with Disabilities Office – Kako‘o ‘Ike Program
A. Philosophy
The philosophy of the Kako‘o ‘Ike program is based on the belief that a person with a disability is a whole person with a particular disability as defined by Federal law. Society, and not individuals, creates the handicaps for people prompting the need for these laws. Persons who have disabilities can and should make a positive contribution to society. Through college, many individuals with disabilities have been able to make the world a better place for all people, not just themselves. Because of a disability, a particular person may need some assistance in order to ‘level the playing field’ and achieve their highest potential as a college student.

B. Mission
The mission of Kako‘o ‘Ike is to ensure that all students with disabilities can freely and actively participate in all facets of College life; to provide and coordinate support services and programs that enable students with disabilities to maximize their educational potential in order to develop their independence to the fullest extent possible; and to increase the level of awareness among all members of the College community so that students with disabilities are able to perform at a level limited only by their abilities, not their disabilities.

C. Policies and Procedures: Accessing Auxiliary Aids and Services
1. Procedures for the Student:
Students with disabilities are not entitled to accommodations simply by virtue of being a person with a disability.

Students with disabilities are afforded the same opportunities and rights, under the provisions of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, to a post secondary education as any other student.

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6 Appendix F. Request for Accommodation from Members of the Public Form
7 Appendix G. ADA/Section 504 Complaint Procedures for Members of the Public Who Have Complaints Regarding Access to College Program, Services and Activities
In order to establish that an individual is covered by the ADA, documentation must indicate that the disability substantially limits some major life activity including learning.

In order to receive accommodations, students with disabilities need to provide documentation that indicates that without the accommodation(s), they would not have equal access and thus would be subject to discrimination.

It is the responsibility of the student to pay for any costs associated with an evaluation of a disability (e.g., medical tests, testing for a learning disability).

LCC-enrolled students with disabilities requesting accommodations or support services through the Kako'o 'Ike (KI) program must provide appropriate documentation of their disability.

The following guidelines are provided in the interest of assuring that documentation demonstrates an impact on a major life activity and supports the request for accommodations, academic adjustment, and/or auxiliary aids and services. As appropriate to the disability, documentation should include:

- A diagnostic statement identifying the disability, date of the current diagnostic evaluation, and the date of the original diagnosis.
- A description of the diagnostic criteria and/or diagnostic test used.
- A description of the current functional impact of the disability as it relates to the accommodation requested.
- Treatments, medications, assistive devices/services currently prescribed or in use.

Documentation should be forwarded to the Kako'o 'Ike (KI) Program, Leeward Community College, 96-045 Ala 'Ike, Pearl City, Hawai'i 96782. Questions about accommodations and services or documentation requirements should be directed to the KI Coordinator at 808-455-0421.

2. Procedures for the KI Coordinator:
The KI Coordinator provides and coordinates a variety of accommodations, auxiliary aids, and services for qualified students with disabilities. All accommodations are based on the current nature of the student's disability or disabilities, supporting documentation, and the specific requirements of the course, program or activity.

Unless otherwise specified, Leeward Community College pays for accommodations and services. Personal services, such as prescriptive devices, health-care aids, personal computing equipment, or private tutoring, are the responsibility of the individual with a disability. Disability accommodation requests can be made at any time; the availability of the accommodation, auxiliary aid, or service may be affected, however, by a request made later than suggested periods.

The KI Coordinator shall:
- provide a confidential Intake Registration Form (Appendix H) by which a student may disclose the existence of a disability and may request the accommodations or

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8 Appendix H. Kako'o 'Ike Intake Registration Form
auxiliary aids he/she believes are required for obtaining equal access to, participation in, or benefit from College programs and activities.

- request documentation, which confirms the student's disability through the use of a Consent to Release Confidential Information Form (Appendix I). Students with disabilities are not entitled to accommodations by virtue of being a person with a disability. In order to receive accommodations, students with disabilities need to provide documentation that indicates that without the accommodation(s), they would not have equal access and thus would be subject to discrimination. It is the responsibility of the student to pay for any costs associated with an evaluation of a disability (e.g., medical tests, testing for a learning disability).

- be flexible in accepting documentation. Documentation may not always be required of students with obvious disabilities. In some circumstances, the SSD Coordinator is an appropriate professional and thus observation is appropriate to the current impact in the context of a request (e.g., wheelchair user, amputee, etc.). Temporary mental or physical impairments are covered by the ADA if the impairment substantially limits a major life activity. The issue of whether a temporary impairment is significant enough to be a disability will be resolved on a case-by-case basis, taking into consideration both the duration (or expected duration) of the impairment and the extent to which it actually limits a major life activity of the affected individual.

- request additional documentation if the information provided is insufficient. The SSD Coordinator may deny a request for an accommodation if the student fails to provide such documentation.

- keep information regarding a student's disability confidential. Disability-related information shall be kept in separate files with access limited to appropriate personnel. This information shall be shared with others within the institution on a demonstrated need-to-know basis only, or with the student's written consent. Faculty members do not have a right to access diagnostic or other information regarding a student's disability; they only need to know the accommodations that are necessary and appropriate to meet a student's disability-related needs.

- determine appropriate and reasonable accommodations and auxiliary aids. Specific services available to the student are determined based on the impact of the student's disability and the academic courses and/or activities in which the student is participating. The College has the right to deny a request if the documentation fails to demonstrate that an accommodation is necessary. An accommodation is not reasonable if making the accommodation:
  - or having the individual involved in the activity poses a direct threat to the health or safety of others;
  - means making a substantial change in an essential element of the curriculum;
  - would require a substantial alteration in the manner in which services (educational opportunities) are provided; and/or,
  - would impose an undue financial or administrative burden on the College.

- have the right to select among equally effective accommodations and auxiliary aids. The preferences of the student with a disability shall receive primary consideration in determining appropriate accommodations.

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9 Appendix I. Consent to Release Confidential Information Form
follow established procedures for arranging or obtaining approved accommodations and auxiliary aids. Note that accommodations will not be provided if a student does not request them.

have the authority to determine appropriate and reasonable accommodations for students with disabilities. The SSD Coordinator shall inform instructors in writing of the accommodations that are required for a particular student in his/her class(es) each semester. (Copies will be provided to the student upon request.) It is the student's responsibility to deliver the letters to the appropriate instructors. It is the instructor's responsibility to provide the accommodations determined by the SSD Coordinator. If an instructor considers the accommodation inappropriate, he/she should first consult with the SSD Coordinator. After this consultation, the instructor has the right to request reconsideration if he/she still considers the accommodation inappropriate (see Appendix J)\(^{10}\). If a request for reconsideration is submitted, the instructor must provide the accommodation(s) during the time period that the appeal is being processed. A decision not to request a reconsideration of an accommodation shall be taken as an agreement to provide it.

inform students of their right to appeal a denied request for an accommodation or some other act of alleged discrimination. Informal complaints by students are to be addressed by the SSD Coordinator. Formal complaints by students are to be filed with the 504/ADA Coordinator within 180 days of the most recent incident of alleged discrimination, unless the complainant can show good cause for a later filing (e.g., an informal complaint had been made at a previous date or other extenuating circumstances). Formal complaints by faculty, staff, or members of the public are to be filed directly with the 504/ADA Coordinator. All complainants, who believe an alleged act of discrimination has been perpetrated against them also have the right to file a formal complaint directly with the Office of Civil Rights.

maintain confidential record-keeping procedures necessary to document institutional responses to requests for accommodations.

3. Documentation Guidelines
   General: Enrolled students with disabilities requesting accommodations or support services through the SSD Office must provide appropriate documentation of their disability. The following guidelines are provided in the interest of assuring that documentation demonstrates an impact on a major life activity and supports the request for accommodation, academic adjustment, and/or auxiliary aids and services.

   Recency of Evaluation: The provision of reasonable accommodations and support services is based upon the assessment of the current impact of the disorder on academic performance and participation in events, programs, and activities of the college. In most cases this means that a diagnostic and/or psychological evaluation has been completed within the last three years. Flexibility in accepting documentation that exceeds a three-year period may be appropriate under certain conditions if the previous assessment is applicable to the current or anticipated setting. If documentation is inadequate in scope or content, or does not address the individual's current level of functioning and need for accommodation(s), re-evaluation may be warranted.

\(^{10}\) Appendix J. Faculty Request for Reconsideration of a Disability-Related Accommodation
Recommendations by the Evaluator or Diagnostician: The evaluator should describe the impact, if any, of the diagnosed disability on a specific major life activity as well as the degree of impact on the individual. The diagnostic report should include specific recommendations that are appropriate at the postsecondary level of education. A detailed explanation should be provided as to why each accommodation is recommended and should be correlated with the specific functional limitations determined through the interview, observation, and/or testing.

Documentation should include any record of prior accommodation or auxiliary aid, including information about specific conditions under which they were used and whether or not they benefited the individual. Prior history of accommodation, without demonstration of current need, does not in itself warrant the provision of a like accommodation. If no prior accommodations were provided since diagnosis of the disability, the diagnostian should include an explanation as to why no accommodations were used and why accommodations are needed at this time.

a. Attention Deficit (Hyperactivity) Disorder (ADD/ADHD)

- **Qualified Professionals:** Professionals conducting assessment and rendering diagnoses of ADD and ADHD must have training in differential diagnosis and the full range of psychiatric disorders. The name, title, and professional credentials of the evaluator, including information about license or certification as well as the area of specialization, employment, and state in which the individual practices, should be clearly stated in the documentation. It is not considered appropriate for professionals to evaluate members of their family.

- **Comprehensive Documentation:** Because ADD/ADHD is by definition, first exhibited in childhood (although it may not formally have been diagnosed) and manifests itself in more than one setting, relevant historical information is essential. The following should be included in a comprehensive assessment:
  - Date of diagnosis as well as date and nature of last contact with the student.
  - Statement of presenting attentional symptoms, including evidence of ongoing impulsive, hyperactive, or inattentive behaviors that significantly impair functioning.
  - Diagnostic interview and evaluation including specific information regarding the instruments and assessment procedures used in the evaluation. Reporting of standard scores and percentiles for all normed measures should be included.

The report must include a specific diagnosis of ADD or ADHD based on the DSM-IV diagnostic criteria. The diagnostian should use direct language in the diagnosis of ADD/ADHD. Given that many individuals benefit from prescribed medications and therapies, a positive response to medication by itself does not confirm a diagnosis, nor does the use of medication in and of itself either support or negate the need for accommodations.

- **Relevant Testing:** Neuropsychological or psycho-educational assessment is important in determining the current impact of the disorder on the student's ability to function in an academic setting. The evaluator should objectively review and include with the evaluation report relevant background information to support diagnosis. Reporting of standard scores and/or percentiles should be included.
b. Learning Disabilities (LD)

- **Qualified Professional**: Professionals conducting assessments and rendering diagnoses of learning disabilities and making recommendations for accommodations must be qualified to do so. Comprehensive training and direct experience working with adolescent and adult populations with learning disabilities is essential. The name, title, and professional credentials of the evaluator, including information about license or certification as well as the area of specialization, employment, and state in which the individual practices should be clearly stated in the documentation. It is not considered appropriate for professionals to evaluate members of their family.

- **Comprehensive Documentation**: Documentation must indicate a specific diagnosis of a learning disability including subcategories such as reading disorder, mathematics disorder, disorder of written expression, and learning disorder (or other otherwise specified) based on the DSM-IV diagnostic criteria. Individual "learning styles," "learning differences," "academic difficulties," and "test difficulty or anxiety," in and of themselves, do not constitute a learning disability. The diagnostitian is encouraged to use direct language in the diagnosis and documentation of a learning disability and avoid terms such as "suggests" or "is indicative of." The following should be included in a comprehensive assessment:
  - Date of diagnosis as well as date and nature of last contact with the student.
  - Statement of individual’s achievement on individually administered, standardized tests in reading, mathematics, or written expression that is substantially below what is expected for age, schooling, and level of intelligence. The learning problems must significantly interfere with academic achievement or activities of daily living that require reading, mathematical, or writing skills.
  - Diagnostic interview and evaluation including specific information regarding the instruments and assessment procedures used in the evaluation. Reporting of standard scores and percentiles for all normed measures should be included.

- **Relevant Testing**: A school plan such as an individualized education plan (IEP) or a 504 plan is insufficient documentation, but can be included as part of a more comprehensive assessment battery. A comprehensive assessment battery and the resulting diagnostic report should include a diagnostic interview, assessment of cognitive aptitude, academic achievement, and the discrepancy (standard deviations) between achievement and intelligence quotient that is not attributable to the lack of opportunity, inadequate schooling or cultural factors. Reporting of standard scores and/or percentiles should be included.

c. Medical Disabilities and Chronic Health Impairments

- **Qualified Professional**: Due to the changing nature of medical disabilities and chronic health impairments, it is essential that students provide recent and appropriate documentation from a qualified evaluator. This information must be provided by a physician or other licensed health care provider in order to substantiate the stated disability. The name, title, and professional credentials of the evaluator, including information about license or certification as well as the area of specialization, employment, and state in which the individual practices should be clearly stated in the documentation. It is not considered appropriate for professionals to evaluate members of their family.

- **Comprehensive Documentation**: Since reasonable accommodations are based on the current impact of the disability, the documentation must address the individual's
current level of functioning and the need for accommodations that are due to observed changes in performance or medication changes since previous assessment. Documentation must indicate a specific diagnosis of a chronic medical condition and include information on how the medical condition and/or related medications and treatments interfere with or limit any major life activity including current participation in courses, programs, services or activities of the college. The following should be included in a comprehensive assessment:

- History of presenting symptoms
- Duration and severity of disability
- Relevant medication and treatment information regarding compliance, side effects and current response to medication, as appropriate
- Description of individual’s current functional limitations in major life activities
- Recommendations for specific accommodations in postsecondary setting.

**Rationale for Accommodations:** A link must be established between the requested accommodations and the functional limitations of the individual. A diagnosis in and of itself does not automatically warrant approval of requested accommodations.

d. Psychiatric Disabilities

- **Qualified Professional:** Professionals conducting assessment and rendering diagnosis of psychiatric disabilities, and making recommendations for accommodations must be qualified to do so. It is essential that professional qualifications include comprehensive training and relevant expertise in differential diagnosis of psychiatric disorders, as well as appropriate licensure/certification. The name, title, and professional credentials of the evaluator, including information about license or certification as well as the area of specialization, employment, and state in which the individual practices should be clearly stated in the documentation. It is not considered appropriate for professionals to evaluate members of their family.

- **Comprehensive Documentation:** Due to the changing nature of psychiatric disabilities, it is essential that students provide recent and appropriate documentation. Since reasonable accommodations are based on the current impact of the disability, the documentation must address the individual’s current level of functioning and the need for accommodations that are due to observed changes in performance or medication changes since previous assessment. Documentation must indicate a specific diagnosis based on the DSM-IV and evaluators are encouraged to cite the specific objective measures used to help substantiate the diagnosis and use definitive language in the diagnosis of a psychiatric disorder, avoiding such wording as “suggests,” “has problems with” or “may have emotional problems.” The following should be included in a comprehensive assessment:

  - History of presenting symptoms
  - Duration and severity of disability
  - Relevant medication and treatment information regarding compliance, side effects and current response to medication, as appropriate
  - Description of individual’s current functional limitations in major life activities
  - Recommendations for specific accommodations in postsecondary setting.

- **Rationale for Accommodations:** A link must be established between the requested accommodations and the functional limitations of the individual. A diagnosis in and of itself does not automatically warrant approval of requested accommodations.
**504/ADA Title Two – Americans with Disabilities Act**
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**D. Extended Time on Tests/Quizzes/Examinations**
The Department of Justice has indicated that they foresee minimal circumstances in which extended time would not be an appropriate modification for a student with a disability on a pencil-and-paper test, if the documentation supports the need for extended time. However, if the evaluation is a skill-based assessment, whether or not extended time is appropriate will have to be determined on a case-by-case basis.

**E. Attendance Policies**
An institution or an instructor within the institution make rules of attendance, and as such, those rules can be modified if the student is missing class for legitimate disability-related reasons. However, what makes the difference is in the nature of the course and the reason for the rule. In a course that provides laboratory or practical experience in a given area, or highly dependent upon class participation and interactive student involvement, extensive absences may make it impossible for the student to experience fully the very essence of the course. If this is the case, a modification of the attendance policy may not be appropriate under any circumstances.

**F. Temporary Disability**
Temporary disabilities are not protected under Section 504 and ADA unless the severity or duration of the temporary disability is such that it has long-term consequences. However, the College will provide accommodations to students with temporary disabilities, if the accommodation is one that would be provided routinely to a student with a permanent disability that results in the same functional limitation.

**G. Priority Registration**
Priority registration may be arranged upon request for those students with disabilities who have a special need such as a specific schedule of courses, accommodations requiring timely preparation (e.g., ordering textbooks on tape) and/or accessible class location. Students requiring this type of accommodation are required to discuss eligibility with the SSD Coordinator and to seek academic advising with a counselor in order to be placed on the list for priority registration.

**H. Full-Time Status for Reduced Course Load**
On a case-by-case basis, it may be an appropriate practice to grant a student with a disability full-time status for a reduced course load (i.e., less than 12 credit hours per semester) for the purpose of 'leveling the playing field' for the student to participate in student organizations, hold office, or qualify for insurance coverage, student loans or financial aid not specifically tied to a specific number of hours of coursework such as Pell Grants. In other words, when a reduced course load is appropriate, it should not restrict or ban students from receiving benefits that are generally reserved for full-time students. Procedures for requesting reduced course load are as follows:
1. Requests for reduced course loads are submitted to the SSD Coordinator along with supporting documentation. Supporting documentation must include a diagnostic evaluation from an appropriate professional that is recent enough to evaluate the current impact of the disability.
2. The SSD Coordinator evaluates the documentation and the request in terms of the impact of the disability and the demands of the student's current or proposed schedule.
3. If the request is denied, the student may appeal the SSD Coordinator's decision through the standard accommodation grievance procedures.
4. If the request is approved, the potential consequences of the reduced course load on progress towards graduation, financial aid, billing, etc. will be explained to the student by the SSD Coordinator. The SSD Coordinator will indicate the approved reduced course load and explain that this credit load will be considered as the student's minimum credit load for full-time status for the semester in question and that he/she cannot drop below this without placing the full-time status in jeopardy.

5. The SSD Coordinator will submit copies of the reduced load approval letter to the offices of the Registrar, Financial Aid, Cashier/Business Office, 504/ADA Coordinator, and the Dean of Student Services.

6. At the agreed-upon credit load, the student will be considered as full time and entitled to all of the services, benefits, rights and privileges of full-time status.

7. Cashier/Business Office will adjust the student's bill. For approvals dated before the end of the official drop period for the semester, the College will prorate the student's tuition based on the enrolled credit load and per credit charges if the adjustment results in a figure lower than full-time tuition. Other charges (activity fees, etc.) are not affected by this accommodation.

8. Based on the billing adjustments and reduced credit load the student's financial aid will be adjusted. Within the limits of Federal financial aid regulations, every effort will be made to ensure that the student does not incur additional costs.

I. Course Substitution or Program Modification

1. General

In unique situations, a student's disabilities may be such that no reasonable accommodations are possible that provide equal access to a specific educational opportunity. In such cases, a student may request a course substitution for a course required for his/her major area of study. The request must meet the following requirements in order to be considered for approval.

- It is a reasonable and appropriate request based on disability-related needs and does not change the essential elements of the major.
- It does not substantially alter an essential element of the student's program of study.

2. Filing a Petition

- Request for program modifications not directly related to instruction, such as application for third repeat, add/drop dates, and similar situations should be made directly to the 504/ADA Coordinator. Designated forms for this purpose may be secured through that office. Requests for priority registration and exception to full-time student status should be made directly through the SSD office. Any student seeking appeal in relation to requests for non-instructional modifications may file an appeal following the "Denied Accommodation Complaint Procedure for Students with Disabilities" under VI. Appeal Policies.

- Requests for course substitution or program modification such as waiver of prerequisites for a required course should first be made to the Division Chair representing the subject area for which the substitution or modification is being made. Designated forms should be used for this purpose and can be secured through the Division Chair. The SSD service provider will assist the student in completing the forms and gathering/integrating support materials. Materials submitted with the petition should include current, relevant, comprehensive documentation of the student's disability, specific impact on the student’s ability in the subject area, supporting evidence including school history, grades, evidence of
"earnest effort" and rationale that substantiates the requested substitution or program modification.

- If the Division has a pre-approved list of possible course substitutions, a substitution may be selected from this list. Should the Division Chair wish for additional input and review, a meeting may be held between the Division Chair, the student and, at the student's request, an SSD advocate able to speak to the facts of the case. The decision of the Division Chair must be submitted to the designated 504/ADA Coordinator, for review and approval within 7 calendar days of the initial petition date.

- Once review of materials results in a decision for or against substitution or prerequisite waiver, or a request for further review by the Disability Access and Accommodation Committee, the designated 504/ADA Coordinator will notify the petitioning student of the decision in writing within 7 calendar days of the date of receipt of the Division Chair's recommendation.

- Should any decision result in a denial of the request, the student may choose to appeal the decision following the Denied Accommodation Complaint Procedures for Students with Disabilities.

- Should the decision result in a request for further review, the 504/ADA Coordinator will convene a meeting of the Disability Access and Accommodation Committee and forward the request, along with supporting materials, to the committee for review and recommendation.

- In the case of either an appeal or request for further review of course substitution concerns, the Disability Access and Accommodation Committee may choose to interview the parties involved, review any documents, and interview other relevant parties who may have concrete information related to either the denial, request for further information, or selection of course substitution. The committee will have 14 calendar days to sustain a denial, recommend a reasonable substitution, or notify the Dean of Instruction that none exists.

J. Taped Lectures/Note Taking

Note-taking assistance is provided, as required by law, for students with disabilities requiring this accommodation. Note-taking and note-taking alternatives provide access to courses for students with disabilities. Alternatives may include tape recording and copies of lecture notes from classmates or the instructor. If a student can be successful with tape recording and/or copies of notes, every effort should be made to utilize these accommodations prior to request for an individual note-taker. Note-taking services rely on student cooperation and responsibility. The procedure for obtaining and providing this accommodation are described below:

1. Students must provide the SSD Coordinator with documentation verifying the need for taped lectures, copies of notes, or note takers in a timely manner. Documentation may not always be required of students with obvious physical disabilities.

2. If notes are required, students will be encouraged to find a classmate who is willing to share his/her class notes.

3. If the student is unable to find a willing classmate, he/she must inform the SSD Coordinator who will speak with the instructor or class to help identify a volunteer note taker and/or arrange to have lecture notes photocopied for the student.

4. If attempts to find a volunteer note taker fail or lecture notes are unavailable, the SSD Coordinator will locate a suitable note taker and provide training as necessary.

5. If a student needs to tape class sessions or have a note taker, the SSD Coordinator will notify the instructor in writing via a letter of accommodation. As faculty have the
right to require a student who uses a tape recorder to sign an agreement for tape recording, the Coordinator will provide a copy of an Agreement Form for Tape Recording Lectures (Appendix K)\textsuperscript{11} to the instructor upon request.

6. The student must provide any schedule changes (e.g., add/drops, a change in room, class cancellation) to the SSD Coordinator as soon as they occur.

7. Students are expected to attend all classes. If the student is not planning to attend a class, he/she must notify SSD at least 24 hours in advance so that the note taking services can be cancelled. If the student is ill and cannot give 24 hours notice of cancellation, the student should contact SSD as soon as it is known that he/she will not be in attendance.

8. If the student does not show up for a class without notifying SSD in advance, the note taker will notify the SSD office and will not remain in the class. The note taker will not return to class until the student contacts SSD.

9. Failure to follow these procedures may result in the termination of the accommodation and the student being held responsible for the expenses incurred.

K. Taped Books and Academic Materials

The availability of textbooks in alternate format is an accommodation that provides access to print materials (especially for students with visual and learning disabilities). Students may register for books on tape or disc, or request materials in Braille or enlarged print formats through their request for services from the SSD office. The SSD office relies on student cooperation and timely notification to facilitate availability of alternate format materials. Students eligible to use alternate formats are expected to take advantage of priority registration. The availability of a book in alternate format determines the length of time it takes to access or produce the needed materials. Newly enrolled students who have need for this accommodation should contact the SSD service provider for assistance with this process.

1. The SSD Coordinator will encourage priority registration for all students who are eligible for taped books/taping services.

2. The SSD Coordinator will contact Recording for the Blind and Dyslexic (RFB&D) or similar resources to determine the availability of materials already recorded. Available materials will be ordered for the student. If the student prefers to locate the material on his or her own, the SSD Coordinator should be informed of this preference.

3. If required materials are not available through RFB&D or a similar resource, the SSD Coordinator will employ other approaches to obtain the material on tape (e.g., hiring readers, locating volunteer readers, using adaptive technology). If readers are used, the SSD Coordinator will provide training as necessary.

4. Students must provide the SSD Coordinator with documentation verifying the need for audio reproduction of course materials. Documentation may not always be required of students with obvious physical disabilities.

5. Students must request the materials they need recorded:
   a. For required textbooks, requests must include the title, author, copyright date, edition and publisher. (This information can be obtained from the course syllabus or, if the syllabus is not yet available, directly from the course instructor.)
   b. For materials on reserve in the Library, requests must include the course number, section, and name of instructor, as well as the title, author, copyright date, edition and publisher.

\textsuperscript{11}Appendix K. Agreement Form for Tape Recording Lectures
c. For other course materials (e.g., syllabus, course handouts), the student must provide a copy (or arrange to have the course instructor provide a copy) to the SSD Coordinator.

6. Students must provide a current course syllabus which identifies the required readings and time lines.

7. Students must request taped materials in a timely manner. Students who participate in priority or early registration should submit requests as soon as they have registered so that arrangements can be made to obtain the taped material as soon as possible. Students who register during regular registration should also submit requests as soon as they have registered, but they should be aware that it is unlikely that all of the required taped materials will be available at the beginning of the semester. Priority is given to taping requests based on the time the request is made and the date needed.

8. If students do not pick up recorded materials on the date materials were requested or do not use the materials, it will be at the discretion of the SSD Coordinator to discontinue this service.

9. Student must return all tapes at the end of the semester. Failure to comply with this procedure may result in the suspension of this service.

L. Sign Language Interpreters and Real Time Captioning

Sign language interpreter services are appropriate for students who are deaf or hard of hearing and request such accommodation. The College shall arrange for this service in order to provide equal access.

1. Funds to pay qualified interpreters and provide benefits as appropriate are the responsibility of the College for interpreters not being provided through another source/agency.

2. With the student's permission, the SSD Coordinator may verify the need for an interpreter with a College staff member who has received a request for an interpreter from a student.

3. In-service training related to hearing impairments for faculty/staff including the use and role of interpreters, expectations for students, and the use of assistive devices, will be carried out by the SSD Coordinator as needed.

4. Students who need interpreters are encouraged to apply for this and other services simultaneously through the Division of Vocational Rehabilitation. If that agency refuses to provide services, the student shall provide a letter of denial to the SSD Coordinator.

5. Students must provide appropriate documentation of a significant hearing loss that prevents access to educational services. Documentation may be a recent audiogram, language testing, speech evaluation, or other appropriate school/medical records.

6. It is the responsibility of the student to identify his/her need for an interpreter in a timely manner (at least four weeks in advance) so that arrangements can be made.

7. If the request is for regular classroom instruction, the student makes the request to the SSD Coordinator. If the request is for an extracurricular activity or event, the student makes the request to the College staff member in charge of the activity or event or designated individual.

8. The student must provide any schedule changes (e.g., add/drops, a change in room, class cancellation) to the SSD Coordinator as soon as they occur.

9. Students are expected to attend all classes. If the student is not planning to attend a class, he/she must notify SSD at least 24 hours in advance so that the interpreter services can be cancelled or reassigned. If the student is ill and cannot give 24
hours notice of cancellation, the student should contact SSD as soon as it is known that he/she will not be in attendance.

10. If the student does not show up for a class without notifying SSD in advance, the interpreter will notify the SSD office and will not remain in the class. The interpreter will not return to class until the student contacts SSD.

11. Failure to follow these procedures may result in the termination of the accommodation and the student being held responsible for the expenses incurred.

M. Test Accommodations
Test accommodations allow for alternative testing conditions for eligible students with disabilities. The College is responsible for selecting and administering tests (including quizzes) that ensure results that reflect the student's achievement or aptitude level, rather than reflecting the student's disability, by ensuring that tests are administered in facilities that are accessible to persons with disabilities. It is the responsibility of the student to make his or her special need known before the test date.

- Students must provide the SSD Coordinator with appropriate documentation verifying the need for alternative testing.
- It is recommended that the student request test accommodations at the beginning of each semester, or a minimum of 7-10 working days prior to the test date, so that appropriate arrangements can be made in a timely manner.
- It is recommended that the student notify the instructor at the beginning of the course that he or she will need to have special arrangements for testing.
- The student should remind the instructor a minimum of 7-10 working days prior to each test so that appropriate arrangements are confirmed.
- If the student believes that an instructor is not providing a test accommodation in an appropriate manner, he or she should discuss this immediately with the SSD Coordinator.
- The SSD Coordinator will send written notification to all instructors regarding any student(s) in their class(es) who require(s) test accommodations. The letter will specify the type of test accommodation required, e.g., extended time (the length will be specified by the SSD Coordinator), a distraction-free testing environment, etc.
- The SSD Coordinator will discuss with the student the need to discuss the test accommodations with his or her instructors early in the semester, so that appropriate arrangements can be made.
- The SSD Coordinator will personally contact via telephone or office visits any instructors who are new or who have not needed to provide test accommodations in the past. The Coordinator will discuss the specific test accommodations, explain terminology (e.g., "distraction-free"), make suggestions as to how the instructor can provide the accommodation in an appropriate way, and answer any questions or concerns that arise.
- If it is impossible for an instructor to provide a given test accommodation or if a test accommodation involves the need for assistance such as readers or scribes, then the SSD Coordinator will make arrangements for the test to be administered in the SSD office.
- Instructors shall follow the prescribed test accommodations for each student. The SSD Coordinator will notify instructors of the required test accommodations in writing.
- If the instructor does not understand a required test accommodation, he or she shall contact the SSD Coordinator for clarification.
If an instructor believes it is not possible to provide a test accommodation, he or she should contact the SSD Coordinator. The SSD Coordinator will provide suggestions as to how to provide the accommodation.

1. **Guidelines for Test Reader**
   - A reader will recite verbatim whatever is written on the student’s test materials.
   - A reader will not be responsible for paraphrasing material or defining vocabulary unless otherwise specified as an appropriate accommodation on the “Conditions for Handling Tests” form. However, a reader may repeat material, break it up and/or alter phrasing or intonation to organize and emphasize component parts of the sentence structure.
   - In the event that paraphrasing, simplifying or access to the dictionary for definition of non-test related vocabulary is specified as an appropriate accommodation, SSD staff and/or the instructor will review these procedures with the reader prior to the scheduled test date.
   - A reader may stop the session at any time and contact SSD staff if he/she feels that the student is requesting more assistance than is appropriate.
   - SSD staff will review the above procedures with the student and reader at the beginning of each session.

2. **Guidelines for Test Scribe**
   - A scribe will write down or input on the computer verbatim what the student has dictated. A student at any time will have the opportunity to review what the scribe has written either by reading or having it read to him/her. If there are corrections, the student will direct the scribe to make them.
   - A scribe will be responsible for spelling and basic sentence punctuation unless otherwise instructed.
   - A scribe is not responsible for organizing or paraphrasing student’s thoughts into final form.
   - A scribe may stop the session at any time and contact SSD staff if he/she feels that the student is requesting more assistance than is appropriate.

**N. Loan of Adaptive Equipment**
SSD lends adaptive equipment and devices to qualified students free of charge. Equipment is loaned out on a daily, weekly, or semester basis depending on need and demand for equipment by other students.

Students must request equipment through the SSD office, which will confirm the reasonableness of the request based on the student’s disability. Students must sign an equipment release agreement. A staff person will instruct students in the use and care of the equipment.

If a student fails to return any equipment by the end of the semester, a hold may be placed on the student’s registration. The hold will be removed once the student has returned or otherwise satisfactorily accounted for the equipment.

Adaptive equipment that may be available for loan from SSD includes but is not limited to:

- Franklin Spelling Ace/Dictionary/Thesaurus
504/ADA Title Two – Americans with Disabilities Act
Policy for Nondiscrimination on the Basis of Disability

• (Talking) Calculators
• Laptop computers for taking notes
• Regular tape recorders
• 4-track tape recorders
• VCR monitors that can be loaned to faculty upon request

O. Service Animals
The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government.

Service animals perform some of the functions and tasks that the individual with a disability cannot perform for him or herself. "Seeing eye dogs" are one type of service animal, used by some individuals who are blind. This is the type of service animal with which most people are familiar. But there are service animals that assist persons with other kinds of disabilities in their day-to-day activities. Some examples include: (1) alerting persons with hearing impairments to sounds; (2) pulling wheelchairs or carrying and picking up things for persons with mobility impairments; and, (3) assisting persons with mobility impairments with balance.

P. Personal Assistance
As detailed in Subpart E of Section 504 and upheld by case law and the Office for Civil Rights, the College is not responsible for providing equipment or services of a personal nature. Personal assistance includes those services that a person would engage in whether or not they were a student e.g., bathing, dressing, toileting or feeding. Additionally, the College is not responsible for providing transportation from one building to another unless transportation is available to all students or readers for personal use or study.

VI. Appeal Policies
Appeal policies and procedures have been established in order that persons believing that they have been discriminated against or unfairly treated by the College or a member of the campus community may seek a resolution of their dispute. Disputes related to accommodations should begin at the College SSD Office with the Disabilities Services Coordinator. A discrimination complaint is a formal or informal complaint filed with the 504/ADA Coordinator, claiming that an individual or unit of the College has violated College policy or state or federal laws regarding nondiscrimination.

A. Denied Accommodation Complaint by Student with Disability
Any community college student or applicant with disabilities who believes that requests for reasonable and appropriate accommodations based on submitted documentation have been denied by the SSD Coordinator, or that he/she has otherwise been discriminated against on the basis of disability, may file a complaint with the campus 504/ADA Coordinator. Because of the timely nature of most accommodation complaints, every effort will be made to resolve complaints quickly and confidentially. To protect privacy, any information about the complaint will only be given to those people for whom it is necessary to resolve the complaint. Also, certain information may have to be disclosed by law or court order.

1. Informal Dispute Resolution:
a. **SSD Coordinator**: If the student requesting an accommodation, auxiliary aid and/or service disagrees with the determination communicated by the SSD Coordinator, the student shall, within seven (7) calendar days of the determination, contact the 504/ADA Coordinator for assistance in resolving the matter informally.

b. **504/ADA Coordinator**: The 504/ADA Coordinator will counsel the complainant about other ways to resolve the complaint and may seek to resolve the complaint on an informal level if such alternatives have not already been sought. If the 504/ADA Coordinator is not successful in quickly achieving a satisfactory resolution (i.e., generally within seven (7) calendar days), the 504/ADA Coordinator will take the steps described below.

c. **DAAC Ad Hoc Dispute Resolution Panel**: The 504/ADA Coordinator shall convene an ad hoc dispute resolution panel of the Disability Access Advisory Committee (DAAC) consisting of the following (or their designees): the 504/ADA Coordinator reviewing the request, the SSD Coordinator, the Dean of Students, and (depending upon the issues) such other academic or administrative personnel as may be appropriate. This panel will review the request, investigate and attempt to resolve the issues—within seven (7) calendar days of the request for or initiation of the second review. This panel shall review the following:

1. The accommodation, auxiliary aid and/or service requested and documentation related to the request;
2. The determination communicated by the SSD Coordinator; and,
3. The request for a second review and the reasons given by the student for disputing the determination.

The DAAC panel may also consult with the relevant parties, other College employees, and/or other disability specialists. Although there will be no formal report issued by the panel, it will document the outcome of its review in a letter to the student.

2. **Formal Dispute Resolution**: If the student disagrees with the DAAC Panel's determination, he or she may file a formal grievance through the Offices of the Dean of Student Services or the Dean of Instruction. The formal procedures and forms, in accordance with the University of Hawai‘i's System-wide ADA / Section 504 Grievance Procedure, A9.920 DISCRIMINATION COMPLAINT PROCEDURES FOR STUDENTS, EMPLOYEES, AND APPLICANTS FOR ADMISSION OR EMPLOYMENT, can be obtained through the Dean of Instruction’s Office.

### B. Reconsideration of Accommodation Complaint by Faculty

The SSD Coordinator at Leeward Community College has the authority to determine appropriate and reasonable accommodations for students with disabilities. The SSD Coordinator informs a faculty member in writing of the accommodations that are required for a particular student in his/her class(es) each semester. It is the faculty member's responsibility to provide the accommodations determined by the Coordinator.

If a faculty member considers the accommodation inappropriate, he/she should first consult with the SSD Coordinator. After consulting with the SSD Coordinator, the faculty member has the right to submit a request for reconsideration if he/she still considers the accommodation inappropriate. If an appeal is submitted, the faculty member must provide the accommodations during the time period that the appeal is being processed. A decision not to appeal an accommodation shall be taken as an agreement to provide it.

1. **Reconsideration Procedure**
   a. **The Faculty Member (or Instructor)**: The faculty member completes the form entitled, "Request for Reconsideration of a Disability-Related Accommodation" (see Appendix J).
It shall include information about the specific accommodation that is being contested; the reason(s) the accommodation should not be provided; suggestions for alternative accommodations (if any); and a summary of any attempts made to resolve the issue (including with whom and on what date). A request shall be filed within fifteen (15) working days following the informal attempt to resolve the issue. The request is submitted to the Division Chair of the instructor's division.

b. **The Division Chair:** The Division Chair shall review the request. In reviewing the request, he/she must consult with the SSD Coordinator. He/she shall render a decision in writing to the faculty member within fifteen (15) working days following receipt of the request.

c. **The Dean of Instruction:** If the faculty member does not agree with the decision of the Division Chair, he/she may forward the Request for Reconsideration to the Dean of Instruction for review. If the Dean of Instruction reviews the request, he/she must also consult with the SSD Coordinator. He/she shall render a decision in writing to the faculty member within fifteen (15) days following receipt of the request.

The decision of the Division Chair (or the Dean of Instruction, if the request is reviewed by him/her) shall be final and binding upon all parties.

**C. Discrimination Complaint Procedures for Students, Employees, and Applicants for Admission or Employment**

Students, employees, or applicants for admission or employment who believe that they have been discriminated against on the basis of race, sex, age, religion, color, ancestry, sexual orientation, national origin, disability, marital status, veteran's status or arrest and court record may file a complaint with the EEO/AA Coordinator, Leeward Community College, 96-045 Aka 'Ike, Pearl City, Hawai'i 96782. The EEO/AA Coordinator will explain the available avenues of recourse and direct the person to the appropriate person or office.

The process of addressing allegations of discrimination is described in A9.920 Discrimination Complaint Procedures for Students, Employees, and Applicants for Admission or Employment (Appendix C). If the complainant is dissatisfied with the outcome from using the school's appeal procedures or wishes to pursue an alternative to using the appeal procedures, the complainant may file a complaint against the school with OCR or in a court. The complainant may learn more about the OCR complaint process from the brochure How to File a Discrimination Complaint with the Office for Civil Rights on their website [http://www.ed.gov/ocr/docs/howto.html](http://www.ed.gov/ocr/docs/howto.html) or by contacting them at the address and phone number below:

Office for Civil Rights
915 Second Avenue, Room 3310
Seattle, WA 98174-1099
Phone: 206-220-7920.

**D. ADA Complaint Procedure For Members Of The Public Who Have Complaints Regarding Disability Access To University Services, Programs, And Activities**

Complaint procedures have been established in order that persons believing that they have been discriminated against or unfairly treated by the University or a member of the campus community may seek a resolution of their dispute. A discrimination complaint is
a formal or informal complaint filed with the designated campus officer that an individual or unit of the College has violated College policy or state or federal laws regarding nondiscrimination.

The 504/ADA Coordinator is the designated officer to coordinate the College's nondiscrimination programs for students. The EEO/AA Officer is the individual designated to respond to complaints from employees and the public.

VII. Appendices

A. Section 504, Rehabilitation Act of 1973
B. Americans with Disabilities Act of 1990
C. A9.920: Discrimination Complaint Procedures for Students, Employees, and Applicants for Admission or Employment, August 2002
D. ADA Accessibility Guidelines for Buildings and Facilities (ADAAG)
E. Uniform Federal Accessibility Standards
F. Request for Accommodation from Members of the Public Form
G. A9.900: ADA/Section 504 Complaint Procedures for Members of the Public Who Have Complaints Regarding Access to University Programs, Services and Activities, June 1998
H. Kako'o 'Ike Intake Registration Form
I. Consent to Release Confidential Information Form
J. Request for Reconsideration of a Disability-Related Accommodation
K. Agreement Form for Tape Recording Lectures
TEACHING ASSIGNMENT REDUCTION FORM

Name

For the ______________ semester, for a three-credit teaching assignment reduction, I will do the following:

- 1. curriculum development
- 2. curriculum revisions
- 3. program development
- 4. program revisions
- 5. research and development in teaching pedagogy
- 6. development of grant or contract proposals
- 7. institutional service
- 8. providing expert to federal state, county, or other agencies that serve the public and benefit the college or UH system
- 9. community service
- 10. student mentoring
- 11. professional development
- 12. mentoring junior Faculty members
- 13. other__________________

Consultation between the division chair and faculty member of the ____________________ division was held on ________________.

______________________________  ________________________________
Faculty Member’s signature    Division Chair’s signature

(Ref. 2003-05 BU7 Agreement, item V of “Other Teaching Load Reductions” in Appendix I to CCCM# 2250; p. 57)