



# POLICY MANUAL

## Accessible Education Center

### *Ability Redefined*

Through collaboration with the campus and community, is committed to redefining ability for students with disabilities by providing comprehensive services in support of the educational development and success of students with disabilities in a student-centered and professional environment.

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# Introduction

The policies serve as the guidelines under which the Accessible Education Center (AEC) delivers services to students with disabilities on the campus of San José State University (SJSU).

The California State University System (CSU), SJSU, and the AEC reserve the right to change policies without prior notice. As changes and updates occur, the AEC will make every effort to update this Policy Manual and provide alternative formats in a timely manner.

## Accessible Education Center (AEC)

### Academic Dishonesty Policy

- AEC defines academic dishonesty as:
  - a. Copying, in part or in whole, from someone else's test using or consulting, during an examination, any sources or materials/electronic media not authorized by the instructor.
  - b. Knowingly allowing another student to copy from your paper during a test.
  - c. Removing tests from the testing facility without the approval of the AEC and/or instructor.
  - d. Falsification of prescribed accommodations.
  - e. Unauthorized use of AEC provided E-text, notes from Notetaking Services, audio/video recording, and/or transcripts from Captioning Services. Written information for selected course(s) must be used exclusively for the student's private use and study. Content must not be shared with other individuals or uploaded onto any web based site (including social media) without the expressed written consent of the AEC.

- Consequences of Academic Dishonesty:

Academic and/or administrative sanctions may be applied in cases of academic dishonesty. Should a student be caught cheating, or attempting to cheat, the following will apply:

1. The AEC will act in accordance with the California Code of Regulations, title 5, Division 5, Chapter 1, Subchapter 4, Article 2, sec. A (Cheating or plagiarism in connection with an academic program at a campus).
2. The AEC reserves the right to notify the Office of Student Conduct and Ethical Development.

3. The AEC reserves the right to suspend prescribed accommodations and services if any of the above, or a combination of the above, are violated or abused.

## Center for Accessible Technology (CAT) Policy

1. Students who require CAT Services & Use (open lab access and/or assistive technology training) must have the appropriate documentation on file and have met with an AEC Counselor.
2. Appropriate services and/or assistive technology training are provided on a case-by-case basis where disability-related educational limitation(s) indicate need.
3. All students approved for CAT Services & Use are required to sign the CAT E-Agreements each semester on MyAEC.
4. CAT Services & Use are provided for San José State University curriculum support only; CAT Services & Use are not provided for personal need.
5. Students are required to present their SJSU Tower Card (student ID) for check-in and check-out.
6. The AEC reserves the right to examine any and all materials brought into CAT.
7. Concerns and issues with CAT Services & Use must be reported directly to the CAT Coordinator.
8. Students are expected to uphold the integrity of SJSU's Campus Community Values and are subject to procedures for misconduct as outlined in the [SJSU Student Conduct Code](#).
9. Students are expected to understand and follow the CAT Policy. The AEC has the right to suspend CAT Services & Use when the student is disruptive in the delivery of the service. In order for a student with suspension of services to be reconsidered for CAT Services & Use, the student must meet with the CAT Coordinator and AEC Associate Director/Director.

## Center for Accessible Technology (CAT) Tutoring & Group Workspace Policy

1. At least one member of group/tutoring who require CAT Tutoring & Group Workspace (CAT-TGW) must have the appropriate documentation on file and have met with an AEC Counselor.
2. Students registered with AEC requesting use of CAT-TGW are required to sign the CAT-TGW E-Agreement(s) each semester on MyAEC.

3. CAT-TGW is provided for San José State University curriculum support only; CAT-TGW are not provided for personal need.
4. Request for CAT-TGW time must be made the student registered with AEC. CAT-TGW time is scheduled on first-come, first-serve basis in 3-hour intervals; unless approved by CAT/AEC staff. Walk-ins will be asked to vacate space for pre-existing reservations. Group size cannot exceed 8 members. Reservations will be forfeited for late arrivals after 15 minutes.
5. All group members are required to present SJSU Tower Card at check-in. Student registered with AEC is responsible for checking group/tutoring in & out.
6. The AEC reserves the right to examine any and all materials brought into CAT.
7. CAT staff reserves the right to cancel reservations without notice as required by business operations.
8. Student registered with AEC who has scheduled CAT-TGW time are required to give timely notice (24 hours as practicable) when canceling. Last minute cancellation for any reason other than illness will be documented as a “no show.” Services may be suspended for students with 3 consecutive “no shows.” Students at risk of service suspension must meet with the CAT Coordinator.
9. Concerns and issues with CAT-TGW must be reported directly to the CAT Coordinator.
10. All students utilizing CAT-TGW are expected to uphold the integrity of SJSU’s Campus Community Values and are subject to procedures for misconduct as outlined in the [SJSU Student Conduct Code](#).
11. Students registered with AEC are expected to understand and follow the CAT-TGW Policy. The AEC has the right to suspend CAT-TGW when the student is disruptive in the delivery of the service. In order for a student with suspension of services to be reconsidered for CAT-TGW, the student must meet with the CAT Coordinator and AEC Associate Director/Director.

## Confidentiality Policy

The AEC maintains appropriate confidential files verifying students’ disabilities on behalf of the university; these records are protected in accordance with FERPA regulations (Family Educational Rights & Privacy Act). San José State University will not release any information regarding a student’s disability without his or her informed written consent or under compulsion of legal process. Disability related information will be shared only on a case-by-case basis when there is a compelling reason for such disclosure within the university community or as required by law.

The information a student shares with faculty members regarding their disability is confidential and must be treated as such in accordance with university policy, the Office of the Chancellor and State and Federal regulations governing confidentiality (FERPA, Section 504 of the Rehabilitation Act of 1973 and The ADA Amendments Act of 2008 (ADAAA)). The Department of Justice (DOJ) has

indicated that a faculty member generally does not have a need to know what the disability is, only that the disability has been appropriately verified by the AEC through engaging in the interactive process. Students are not required to provide specifics regarding their disability when self-disclosing a need for accommodations having already done so with the AEC. Information regarding the student's disability must not be discussed or shared with other faculty members unless the student has signed a Release of Information Form giving permission to do so.

## Course Substitution Policy

Students should initiate this procedure as soon as possible after entering San Jose State University. Waiting until the last semester before graduation may delay awarding of the degree.

### *Oral Communication*

Students registered with the AEC with Communication impairments or who are Deaf and using sign language interpreters/Educational Real Time Captioners, can request a course substitution for the Oral Communication requirement for General Education. The following procedures must be followed:

- The student must provide a medical documentation or other appropriate verification of the disability (e.g., audiogram, speech/language evaluation by a speech pathologist, medical doctor or neurologist).
- The student must make an appointment with AEC's Academic Advisor Counselor to discuss disability related limitations and a possible course substitution.
- The Academic Advisor Counselor will prepare a petition and collaborate with the Chair of the Communications Studies Department to determine an approved course that will satisfy SJSU's Oral Communication requirement.
- The Academic Advising Counselor will submit the petition for processing to the Associate Dean of Undergraduate Studies.

Following final approval by the Associate Dean of Undergraduate Studies the petition becomes a part of the student's file in Admissions and Records and will be used to clear the General Education requirement at the time of application for graduation.

### *Quantitative Reasoning*

The following guidelines are to be used in recommending and supporting the request made by students registered with AEC for substitution of the quantitative reasoning requirement:

- The student must provide a medical documentation or other appropriate verification of the disability, e.g., a learning disability, Acquired Brain Injury, or neurological disability.
- The student must make an appointment with AEC's Academic Advisor Counselor to discuss the disability related limitation and a possible course substitution.

- The student must submit transcripts showing college level mathematics courses completed or attempted. Students requesting a course substitution must have attempted math courses in college and have progressed as far as possible.
- The student must be in an approved major that will allow a Quantitative Reasoning substitution.
- The student must have successfully completed the Critical Thinking (A3) requirement.

If all above requirements are met, AEC's Academic Advisor Counselor will complete the Quantitative Reasoning petition to substitute a second Critical Thinking course for Area B4 satisfaction and submit the request to the Associate Dean of Undergraduate Studies for processing.

Following the Associate Dean of Undergraduate Studies final processing the petition becomes a part of the student's file in Admissions and Records and will be used to clear the Quantitative Reasoning Requirement for graduation.

NOTE: The Critical Thinking course taken as the Quantitative Reasoning substitution cannot be from the same department as the course taken to satisfy Critical Thinking; the course can be taken at SJSU or a California Community College.

## Deaf & Hard of Hearing Policy

1. Students who require Deaf and Hard of Hearing (DHOH) accommodations and/or services must have the appropriate documentation on file and have met with an AEC DHOH Counselor.
2. Reasonable and appropriate accommodations and/or services are provided on a case-by-case basis where disability-related educational limitation(s) indicate need.
3. All students approved for DHOH accommodations and/or services are required to sign the DHOH E-Agreement(s) each semester on MyAEC.
4. Request for DHOH accommodations and/or services must be made by the registered student each semester for the following enrollment term. Subsequent to students' enrollment in their courses, students must contact the DHOH Program to request accommodations and/or services.
5. The DHOH Program makes every attempt to provide accommodations and/or services when requested; however, late requests are not guaranteed and will be provided in the following priority:
  - a. Classroom (earliest requests are given first priority)
  - b. Classroom required activities
  - c. Student/Professor meeting
  - d. Campus activities
  - e. University-sponsored activities



6. Students must contact the DHOH Program if an Interpreter/Captioner does not arrive for an assignment as soon as possible. The DHOH will provide an alternate Interpreter/Captioner as available.
7. Students who have scheduled services are required to give timely notice (24 hours as practicable) when canceling. Last minute cancellation for any reason other than illness will be documented as a “no show”. Services may be suspended for students with 3 consecutive “no shows.” Students at risk of service suspension must meet with the DHOH Coordinator.
8. Interpreters/Captioners will report late student arrivals to the DHOH Program. Interpreters/Captioners will wait for late students as follows:

Length of Class	Waiting Period
1 hour	15 minutes
1.5 hours	25 minutes
3 hours	45 minutes

9. During finals week, students choosing to test in their regular classroom must contact the DHOH Program through email at least two weeks in advance with the class name, date, time (beginning and end) and location.
10. Students who are not satisfied with Interpreting/Captioning services must notify the DHOH Program. Students may, if they wish, discuss their concerns with their service providers to resolve the situation. If no resolution is found the AEC DHOH Counselor/Coordinator will observe and assess the situation to make the appropriate recommendations on a case-by-case basis.
11. Students are expected to understand and follow DHOH policies and requirements. The AEC has the right to suspend DHOH accommodations/services when the student is disruptive in the delivery of the service. In order for a student with suspension of services to be reconsidered for DHOH services/accommodations the student must meet with the DHOH Counselor/Coordinator and AEC Associate Director/Director.

## Educational Assistants Services Policy

1. Students who require Educational Assistant Services must have the appropriate documentation on file and have met with an AEC Counselor.
2. Appropriate services are provided on a case-by-case basis where disability-related educational limitation(s) indicate need.
3. Educational Assistant Services are provided for San José State University curriculum support only and must be requested each semester the service is needed; Educational Assistant Services are not provided for personal need.

4. The AEC will clarify the requirements of the Educational Assistant, will hire, and train the Educational Assistant.
5. The AEC makes every attempt to hire Educational Assistants with qualifications meeting the requirements of the job. The hiring of an Educational Assistant may be delayed due to a late request or the time of the semester during which a request falls.
6. Students may request that the AEC hire an individual with whom they have previously worked or who they know to possess the skills for the job. The AEC, however, reserves the right to make the final hiring decision.
7. All support services work must be completed on campus unless otherwise required by the course curriculum. Off campus locations must be public domain and pre-approved by the AEC.
8. Concerns and issues with Educational Assistant Services must be reported directly to AEC's Associate Director.
9. Students are expected to understand and follow Educational Assistant Policy. The AEC has the right to suspend Educational Assistant Services when the student is disruptive in the delivery of the service. In order for a student with suspension of services to be reconsidered for Educational Assistant Services, the student must meet with the AEC Counselor/Coordinator and AEC Associate Director/Director.

## File Review Policy

In accordance with the Family Education Rights and Privileges Act of 1974, a student has a right to review and inspect his or her records. A student file will be made available within forty-five (45) days of receipt of a written request. If an accommodation for a disability is required, it should be requested in the written request. Students will be asked to call and make an appointment so that space can be made available for reading the file.

A student may make notes while reading the file, but photocopies will not be provided of any of the contents of the file. An AEC staff member will be present during the time the student is reading the file.

If the student believes the file contains inaccurate or misleading information, the student may request to schedule a meeting to discuss their concerns with the AEC's Associate Director/Director. If no resolution is found the student may request to schedule a meeting with the Associate Vice President for Student Affairs.

## Furniture Policy

1. Students who require Accessible Furniture must have the appropriate documentation on file and have met with an AEC Counselor and been prescribed the services.
2. Accessible Furniture is provided on a case-by-case basis where the disability-related educational limitation(s) indicate need.
3. Accessible Furniture is provided for San José State University curriculum support only and must be requested each semester the service is needed; Accessible furniture is not provided for personal need.
4. Accessible furniture requests are issued on a first-come-basis via existing AEC furniture inventory. In the event AEC is unable to accommodate the student, AEC will work with individual departments to meet the student's need.
5. Students requiring personal aids (e.g., cushions, orthopedic supports, etc.) for use with the furniture are responsible for providing these personal aids. The University is not responsible for items left in the classroom.
6. Accessible furniture provided by the AEC is not prescriptive in nature and should be considered only as a means to improve classroom access.
7. Concerns and issues with Accessible Furniture must be reported directly to AEC.
8. Students are expected to understand and follow Accessible Furniture Policy and requirements. The AEC has the right to suspend Accessible Furniture when the student is disruptive in the delivery of the service. In order for a student with suspension Accessible Furniture to be reconsidered the student must meet with the AEC Counselor/Coordinator and AEC Associate Director/Director.

## Internal Student Grievance Policy

Faculty, staff or students with questions, concerns or disagreements regarding a prescribed accommodation(s) should schedule an appointment to talk with an AEC professional staff member to discuss the concern to resolve the matter as expeditiously as possible.

Students with disabilities who believe there has been a violation of the regulations governing the University as they apply to providing accommodations for courses affiliated with San José State have the right to file a grievance. The grievance procedures pertain to situations where a student has made a request for an accommodation on the basis of a disability, either to an individual faculty member, a department (academic or administrative [1]) or the AEC, and has been denied.

Students should make a reasonable, good-faith attempt to resolve the complaint on an informal basis following the Student Grievance Procedures in accordance with Presidential Directive 97-03, Accommodations for Students with Disabilities.

The grievance procedures do not apply to allegations based on events which occurred more than

180 calendar days prior to the date the complaint was filed.

### Questions to Consider Before Filing a Grievance

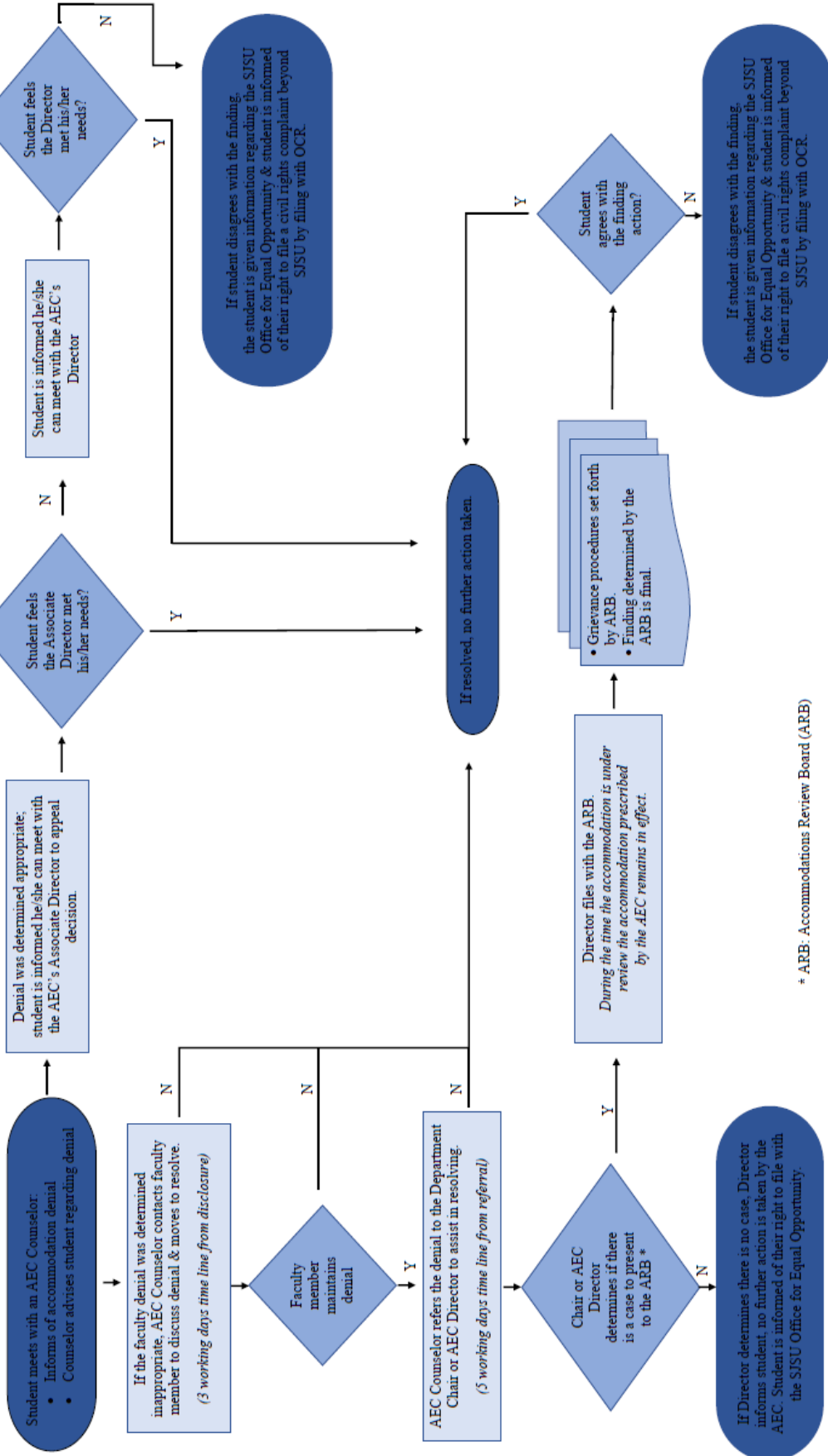
In reviewing denials to accommodation requests, the University considers the following questions:

1. Does the student have a disability?
2. Is the student “otherwise qualified”?
3. Did the student request the accommodation?
4. Was the request submitted in a timely manner and consistent with established University policies on accommodations?
5. Is the request reasonable or readily achievable?
6. Is the nature of the curriculum, program or activity fundamentally maintained by the provision of the accommodation?
7. Does the provision of the accommodation fundamentally alter the curriculum, program, or activity?
8. Does the provision of the accommodation present a reasonable financial or administrative cost to the University or does it present an undue burden?

[\[1\]](#) Denials of Requests for Non-Academic/Non-Instructional Accommodations (e.g., parking, housing) will be handled through the individual department's grievance procedures; students are encouraged to work with a AEC counselor to assist them through the process.

**San Jose State University  
Accessible Education Center (AEC)  
Internal Student Grievance Procedures**

In following with [Presidential Directive 97-03](#), during the time that the accommodation is under review, the prescribed accommodation recommended by the AEC remains in effect through the review period and a decision has been made.



\* ARB: Accommodations Review Board (ARB)

## Notetaking Services Policy

1. Students who require Notetaking Services must have the appropriate documentation on file and have met with an AEC Counselor and been prescribed the services.
2. Notetaking Services are provided on a case-by-case basis where the disability-related educational limitation(s) indicate need.
3. Notetaking services are provided for San José State University curriculum support only and must be requested each semester the service is needed; Notetaking Services are not provided for personal need.
4. AEC makes every attempt to secure a Notetaker subsequent to a student's request. In the event recruitment is not successful:
  - One week following the confirmed Notetaker request, AEC will partner with the instructor of record for assistance to make a general announcement in class.
  - Second week following the confirmed Notetaker request, AEC will message the student registered with AEC to inquire if the student is comfortable assisting AEC recruit their a Notetaker.
  - Third week following the confirmed Notetaker request, the AEC will utilize alternative options for securing a Notetaker.
5. All students approved for Notetaking Services are required to sign the Notetaking E-Agreement(s) each semester on MyAEC.
6. Provided notes from for selected course(s) must be used exclusively for the student's private use and study. Content must not be shared with other individuals or uploaded onto any web based site (including social media) without the expressed written consent of the AEC.
7. Concerns and issues with Notetaking Services must be reported directly to AEC.
8. Class attendance is mandatory and mirrors class attendance requirements as stated on course syllabus. Notetaking Services is not a substitute for class attendance.
9. Notertakers receive priority registration the following semester for provided services. Should another means of compensation be necessary, the decision is made on a case-by-case basis by the AEC Director or Counselor.
10. Notetakers will be matriculated students in good academic stating. Students are expected to understand and follow Notetaking Services Policy and requirements. The AEC has the right to suspend Notetaking Services when the student is disruptive in the delivery of the service. In order for a student with suspension of Notetaking Services to be reconsidered the student must meet with the AEC Counselor/Coordinator and AEC Associate Director/Director.

## Rescheduling or Cancellation of Appointments Policy

Students who have scheduled appointments with AEC professional staff are required to give timely notice (24 hours as practicable) when rescheduling or canceling an appointment.

## Scribing Services Policy

1. Students who require Scribing Services must have the appropriate documentation on file and have met with an AEC Counselor and been prescribed the services.
2. Scribing Services are provided on a case-by-case basis where the disability-related educational limitation(s) indicate need.
3. Scribing services are provided for San José State University curriculum support only and must be requested each semester the service is needed; they are not provided for personal need.
4. The AEC will clarify the requirements of the scribing job, will hire, and train the scribe.
5. The AEC makes every attempt to hire scribes with qualifications meeting the requirements of the job. The hiring of a scribe may be delayed due to a late request or the time of the semester during which a request falls.
6. Students may request that the AEC hire an individual with whom they have previously worked or who they know to possess the skills for the job. The AEC, however, reserves the right to make the final hiring decision.
7. Concerns and issues with Scribing Services must be reported directly to AEC.
8. All scribing work must be completed on campus unless otherwise required by the course curriculum. Off campus locations must be public domain and pre-approved by the AEC.
9. Students are expected to understand and follow Scribing Services Policy and requirements. The AEC has the right to suspend Scribing Services when the student is disruptive in the delivery of the service. In order for a student with suspension of Scribing Services to be reconsidered the student must meet with the AEC Counselor/Coordinator and AEC Associate Director/Director.

## Service Animal Policy

In accordance with Federal law, use of a service dog in university facilities and on university campuses, which includes attendance at a campus-sponsored concert or special events, may not be challenged except if the use of the dog poses a direct threat to the health or safety of other persons, or if the presence of the service dog will result in a fundamental alteration of service, program, or activity involved. (Title II, ADA Regulations, 28 C.F.R-130[b] [7])

Service animals are defined as dogs that are individually trained to do work or perform tasks for

people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. This definition does not affect or limit the broader definition of "assistance animal" under the Fair Housing Act or the broader definition of "service animal" under the Air Carrier Access Act. Some State and local laws also define service animal more broadly than the ADA does. (U.S. Department of Justice).

Miniature horses must be considered as a reasonable modification if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. Individuals are not allowed to inquire about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task. In situations where it is not obvious that the dog is a service animal, only two specific questions can be asked: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform.

The AEC does not require registration of service dogs in following with the ADA. However, service dogs are subject to the same licensing and vaccination rules that are applied to all dogs.

Service dogs must be under the control of the handler at all times. If a particular service dog is out of control and the handler does not take effective action to control it, or if it is not housebroken, that dog may be excluded. Under control also means that a service animal should not be allowed to bark repeatedly in a lecture hall, theater, library, or other quiet place. However, if a dog barks just once, or barks because someone has provoked it, this would not mean that the dog is out of control. Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

The Handler is responsible for the supervision, care and cleanliness of their service dog. In the event a service dog's supervision, care and/or cleanliness is not being maintained the Handler will be informed and provided a period of time to correct the situation. The period of time will be determined on a case-by-case basis. Should the Handler not correct the situation the service dog may be excluded until corrected.

San Jose State has the authority to remove a service dog from its grounds or facilities if the service dog becomes unruly or disruptive and/or unhealthy to the extent that the dog's behavior and/or condition poses a direct threat to the health or safety of others, or otherwise causes a fundamental alteration in the University's services, programs, or activities. If such behavior persists, the owner may be directed not to bring the dog into public campus areas until the problem is rectified.

In the event another person on campus has a covered disability under the ADA and it includes an allergic reaction to animals, and that person has contact with a service dog, a request for assistance should be made to the AEC. An AEC counselor will consider all facts with respect to the contact in an effort to resolve the issue.

The AEC adheres to the [Fair Housing Act](#) (FHAct) working in conjunction with University Housing regarding service dogs.



## Emotional Support Animal

While Emotional Support Animals or Comfort Animals are often used as part of a medical treatment plan as therapy animals, they are not considered service animals under the ADA. These support animals provide companionship, relieve loneliness, and sometimes help with depression, anxiety, and certain phobias, but do not have special training to perform tasks that assist people with disabilities. (<https://adata.org/publication/service-animals-booklet>)

Students requesting Emotional Support Animal as an accommodation must register with the AEC and meet with a counselor to discuss their accommodation request.

## Service Animal in Testing Policy

A service animal is a dog that is individually trained to do work or perform tasks for a person with a disability.

1. Service dogs must be harnessed, leashed, or tethered and under the handler's control, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
2. Service dogs in the Testing room must remain on the floor near the handler.
3. Service dog needs must be taken care of prior to the beginning of an exam.
4. Service dogs must not pose a disruption to other students in any way.
5. Service dogs must be trained to behave properly in all AEC facilities, which include Testing. Inappropriate behavior that disrupts the normal course of business or threatens the health or safety of others will be required to discontinue testing and reschedule the exam pending professor approval.

A service dog will be removed from Testing if:

1. The service dog is out of control and the handler does not take effective action to control it
2. The service dog is not housebroken

Staff is not required to provide care or food for a service dog.

## Standardized Test Accommodations Policy

1. Students who require standardized testing accommodations and/or services must have the appropriate documentation on file and have met with an AEC Counselor and been prescribed accommodations and/or services.

2. Reasonable and appropriate test accommodations are provided on a case-by-case basis where the disability-related educational limitation(s) indicate need.
3. AEC strictly adheres to the deadline dates for standardized exams set by the University Testing Office. If a student misses a deadline date, the student must take the exam at a later date.
4. Exams will be administered on the scheduled date of the test. Exceptions (i.e., disability reasons, religious beliefs) are dealt with on a case-by-case basis. The time will be determined by the individual exam.
5. Request for rescheduling or canceling must be made by registered student as soon as possible.
6. The AEC reserves the right to examine any and all materials brought into the testing room.
7. Students are expected to uphold the integrity of the examination process and are subject to procedures for academic misconduct as outlined in Section 1.1 of the Policy on Academic Dishonesty. Should an incident of academic dishonesty occur, the Professor and the Office of Student Conduct and Ethical Development will be notified.
8. Students are expected to understand and follow Standardized Testing Accommodations Policy and requirements. The AEC has the right to suspend Standardized Testing Accommodations when the student is disruptive in the delivery of the service. In order for a student with suspension of Standardized Testing Accommodations to be reconsidered the student must meet with the AEC Counselor/Coordinator and AEC Associate Director/Director.

## Student Conduct Code

In following with the University's campus community values, the AEC is committed to maintaining a safe and healthy living and learning environment for students, faculty, and staff. Each member of the campus community should choose behaviors that contribute toward this end. Students are expected to be good citizens and to engage in responsible behaviors that reflect well upon their university, to be civil to one another and to others in the campus community, and contribute positively to student and university life.

To this end, the AEC adheres to San Jose State University's [Student Conduct Code](#), Title 5 California Code of Regulations (41301. Standards for Student Conduct).

## Testing Accommodations Policy

1. Students who require Testing Accommodation(s) and/or services must have the appropriate documentation on file and have met with an AEC Counselor and been prescribed accommodations.
2. Reasonable and appropriate Testing Accommodation(s) are provided on a case-by-case

basis where the disability-related educational limitation(s) indicate need.

3. Requests for Testing Accommodation(s) must be made by the registered student each semester. Request must be made no fewer than five working days prior to the needed accommodation.
4. All students approved for Testing Accommodation(s) and/or services are required to sign the Testing E-Agreement(s) each semester on MyAEC.
5. Requests Testing Accommodation(s) for final exams must be submitted by the final exam deadline each semester. The fall semester deadline is November 1<sup>st</sup> and spring semester deadline is April 1<sup>st</sup>.
6. Students must schedule accommodated exams with the AEC at the same date and time as the class. AEC supports exceptions when the extended time causes a scheduling conflict and a student must take the exam at a different time or on a different day. The following exceptions are supported by AEC a student discuss an alternative date and/or time with the professor of record: time/date change.
  - a. Back-to-back classes
  - b. Disability related issues (i.e.: medical treatments).
  - c. Tests scheduled outside of AEC's Testing Center business hours of operation
7. Scheduling exams at a later date to allow for extended study time is prohibited.
8. The AEC reserves the right to examine any and all materials brought into the testing room.
9. All electronic devices, including cellphone and smart watches, are prohibited during testing, unless with professor approval.
10. Students are expected to uphold the integrity of the examination process and are subject to procedures for academic misconduct as outlined in Section 1.1 of the Policy on Academic Dishonesty. Should an incident of academic dishonesty occur, the Professor and the Office of Student Conduct and Ethical Development will be notified.
11. Students are expected to understand and follow Testing Accommodations Policy and requirements. The AEC has the right to suspend testing accommodations/services when the student is disruptive in the delivery of the service. In order for a student with suspension of accommodations/services to be reconsidered the student must meet with the AEC Counselor/Coordinator and AEC Associate Director/ Director.

San José State University (SJSU)

[Access to Electronic & Information Technology Policy for Persons with Disabilities - Presidential Directive 2007-02](#)

[Access to Instructional Materials: Timely Identification of Textbooks, Course Readers and Library Reserves – Academic Senate Policy F07-3](#)

[Access to Technology & Computer Laboratories for Students with Disabilities – Presidential Directive 1998-02](#)

[Accommodations for Students with Disabilities – Presidential Directive 1997-03](#)

[Incorporating Accessibility into the Curriculum Review Process - Academic Senate Policy S08-3](#)

[Parking, Traffic & Transit Advisory Committee – Presidential Directive 2007-05](#)

California State University (CSU)

[Accessible Technology Initiative - Coded Memo – AA-2015-22](#)

[Campus Accessibility Strategy for Online Education](#)

[Disability Support & Accommodations - Executive Order 1111](#)

[Provision of Accommodations & Support Services to Students with Disabilities – Coded Memo AA-2014-08](#)

## Federal Laws

### [Americans with Disabilities Act \(ADA\) of 1990](#)

The ADA Amendments Act of 2008 (ADAAA) was enacted on September 25, 2008, and became effective on January 1, 2009. The law made a number of significant changes to the definition of “disability” under the Americans with Disabilities Act (ADA). It also directed the U.S. Equal Employment Opportunity Commission (EEOC) to amend its ADA regulations to reflect the changes made by the ADAAA. The EEOC issued a Notice of Proposed Rulemaking (NPRM) on September 23, 2009. The final regulations were approved by a bipartisan vote and were published in the Federal Register on March 25, 2011.

President George H.W. Bush signed into law the [Americans with Disabilities Act](#) on July 26, 1990. The ADA recognizes and protects the civil rights of people with disabilities and is modeled after earlier landmark laws prohibiting discrimination on the basis of race and gender.

Pursuant to the Amendments Act, the definition of disability under the ADA, 42 U.S.C. 12101, et seq., shall be construed in favor of broad coverage to the maximum extent permitted by the terms of the ADA as amended, and the determination of whether an individual has a disability should not demand extensive analysis. (EEOC 03/25/2011)

The ADAAA covers a wide range of disability, from physical conditions affecting mobility, stamina, sight, hearing, and speech to conditions such as emotional illness and learning disorders. The ADAAA addresses access to:

- the workplace (title I)
- state and local government services (title II)
- places of public accommodation and commercial facilities (title III)
- telecommunications for people who have hearing or speech impairments through telecommunications relay services (title IV)

It also includes miscellaneous instructions to Federal agencies that enforce the law (title V). Regulations issued under the different titles by various Federal agencies set requirements and establish enforcement procedures. To understand and comply with the ADA, it is important to follow the appropriate regulations.

Under titles II and III of the ADA, the Board develops and maintains accessibility guidelines for buildings, facilities, and transit vehicles and provides technical assistance and training on these guidelines. The ADA Accessibility Guidelines (ADAAG) serve as the basis of standards issued by the departments of Justice (DOJ) and Transportation (DOT) to enforce the law. The building guidelines cover places of public accommodation, commercial facilities, and State and local government facilities. The vehicle guidelines address buses, vans, a variety of rail vehicles, trams, and other modes of public transportation. Regulations issued by DOJ and DOT contain standards based on ADAAG and also provide important information on which buildings and facilities are subject to the standards. It is important that the regulations be used along with the design standards they contain or reference.

## Section 508 of the Rehabilitation Act of 1973

In 1998, Congress amended the Rehabilitation Act of 1973 to require Federal agencies to make their electronic and information technology (EIT) accessible to people with disabilities. [Section 508 of the Rehabilitation Act](#) was enacted to eliminate barriers in information technology, to make available new opportunities for people with disabilities and to encourage development of technologies that will help achieve these goals.

"It is the policy of the CSU to make information technology resources and services accessible to all CSU students, faculty, staff and the general public regardless of disability." All CSU programs, services, and activities should be accessible to all students, staff, faculty, and the general public. This encompasses all technology products used to deliver academic programs and services, student services, information technology services, and auxiliary programs and services.

The CSU's Accessible Technology Initiative (ATI) implementation approach is driven by the following principles:

- Technology accessibility is an institution-wide responsibility that requires commitment and involvement from leadership across the enterprise.
- Technology access for individuals with disabilities must provide comparable functionality, affordability, and timeliness and should be delivered in as seamless a manner as possible.
- The implementation of Universal Design principles should reduce the need for, and costs associated with, individual accommodations for inaccessible technology products.