

**REVISIONS TO DISCIPLINES LIST
PLEASE TYPE**

(Note: Only typed forms will be accepted.)

DATE SUBMITTED: September 29, 2014
(Deadline for submission is September 30, 2014)

DISCIPLINES LIST TITLE Learning Disabilities Specialist: DSPS

This proposal is for a New discipline
 Revision to existing discipline

Reason for the proposal Create a new discipline
 Update language in existing discipline to reflect new terminology
 Make minimum qualifications in existing discipline more restrictive
 Make minimum qualifications in existing discipline less restrictive

PROPOSAL LANGUAGE: (If this is an existing minimum qualification, please include the original language and change using strikeouts and *italics*).

The minimum requirements for service as a community college faculty member to provide specialized assessment, guidance and services for students with learning disabilities shall be satisfied by meeting the following requirements:

- (1) Master’s degree, or equivalent foreign degree, in the category of learning disabilities, special education, education, psychology, speech language pathology or communication disorders, educational or school psychology, counseling or rehabilitation counseling; and*
- (2) Fifteen semester units of upper division or graduate study in the area of learning disabilities, to include, but not be limited to adult cognitive and achievement assessment.*

PROPOSAL EVIDENCE:

Any Disciplines List proposal must have the following evidence, which is essential because it provides the rationale about why the change is needed as well as inform the field that the research has been completed to ensure that the change is necessary. A lack of documentation about the need of Discipline List Revision may cause the proposal to be delayed or rejected by the Executive Committee. Please use the following check list to ensure all you have conducted all necessary research.

The role of a Learning Disabilities (LD) Specialist in the California Community Colleges has evolved over the last three decades. The current Minimum Qualifications (MQ’s) in Title 5 section 53414 for Disabled Student Programs and Services (DSPS) faculty do not reflect the full role of an LD Specialist. The language currently in part (d) of section 53414 only refers to instructional positions within DSPS, and LD Specialists typically perform both direct assessment of learning disabilities and instructional duties. In some cases an LD Specialist will perform only one of those two main functions, but at most colleges they perform both functions. In order to adequately perform the full range of the assessment duties, a faculty member must be formally trained in both cognitive assessment and achievement assessment. Also, for that faculty member to authorize a student as meeting the eligibility criteria for a student to be coded for DSPS funding purposes under the category of “Learning Disability”, they must be fully trained in cognitive and achievement assessment before they can be certified by the state Chancellor’s Office to make such an authorization. Lastly, publishers of the assessment devices used will not allow their systems to be purchased by colleges unless someone has received formalized graduate-level training in those cognitive and achievement assessment systems.

So for all of the above stated reasons, LD Specialists need to have training in cognitive and achievement assessments, yet the current MQ's under which LD Specialists are hired make no mention of this necessary requirement. There are cases where colleges, strictly following the current MQ's, have hired faculty who could not fully perform the functions of an LD Specialist.

There are numerous graduate degree programs offered by public universities in California in the discipline areas listed in the proposed language for proposed new discipline. There are dozens of areas of emphasis within the various degrees, and the complete list was dozens of pages long. Grouped into larger categories, here are the number of CSU and UC campuses that offer graduate degrees in each area:

Degree	# of CSU	# of UC
Special Education	19	3
Education	22	8
Psychology	20	10
Speech Language Pathology or Communication Disorders	4	2
Educational of School Psychology	8	3
Counseling	17	1
Rehabilitation Counseling	5	0

This totals 122 possible degree areas, with dozens more areas of specialty, offered by public universities."

The references below clearly show the requirement from the state to provide LD assessment and to have qualified professionals available to do it.

Legal authority and justification for Learning Disabilities assessment

Education Code

Section 67310 states the need and commitment for serving students with disabilities.

“67310. (a) The Legislature finds and declares that equal access to public postsecondary education is essential for the full integration of persons with disabilities into the social, political, and economic mainstream of California. The Legislature recognizes the historic underrepresentation of disabled students in postsecondary programs and the need for equitable efforts that enhance the enrollment and retention of disabled students in public colleges and universities in California.”

Section 67311 specifically states that diagnostic assessment, which for the most part only includes Learning Disabilities assessment, is an appropriate service to be provided by the DSPP programs and authorizes the use of funds to carry out that activity.

It is the desire and intent of the Legislature that, as appropriate for each postsecondary segment, funds for disabled student programs and services be based on the following three categories of costs:

- (b) Continuing variable costs that fluctuate with changes in the number of students or the unit load of students. These continuing variable costs are costs for services that vary in frequency depending on the needs of students, such as the following:
- (1) Diagnostic assessment, including both individual and group assessment not otherwise provided by the institution to determine functional, educational, or employment levels or to certify specific disabilities. “

Section 78213 gives guidance on the use of assessment instruments, stating they must be approved instruments. The state chancellor’s office established over 30 years ago a Learning Disabilities Eligibility Model, with certain and specific approved assessment instruments to carry out Learning Disabilities assessment in the colleges.

- (a) No district or college may use any assessment instrument for the purposes of this article without the authorization of the board of governors. The board of governors may adopt a list of authorized assessment instruments pursuant to the policies and procedures developed pursuant to this section and the intent of this article. The board of governors may waive this requirement as to any assessment instrument pending evaluation.
- (b) The board of governors shall review all assessment instruments to ensure that they meet all of the following requirements:
- (1) Assessment instruments shall be sensitive to cultural and language differences between students, and shall be adapted as necessary to accommodate students with disabilities.
- (2) Assessment instruments shall be used as an advisory tool to assist students in the selection of appropriate courses.
- (3) Assessment instruments shall not be used to exclude students from admission to community colleges.
- (c) The board of governors shall establish an advisory committee to review and make recommendations concerning all assessment instruments used by districts and colleges pursuant to this article.
- (d) For purposes of this section, "assessment" means the process of gathering information about a student regarding the student's study skills, English language proficiency, computational skills, aptitudes, goals, learning skills, career aspirations, academic performance, and need for special services. Assessment methods may include, but not necessarily be limited to, interviews, standardized tests, attitude surveys, vocational or career aptitude and interest inventories, high school or postsecondary transcripts, specialized certificates or licenses, educational histories, and other measures of performance.

Title 5 Regulations

More specific state Title 5 regulations have been adopted by the Board of Governors relevant to all of these code sections.

All 112 colleges in the system accept DSPS funds. Section 56000 references the Education Code and applies regulatory requirements to those colleges in providing services such as Learning Disabilities assessment.

“This subchapter applies to community college districts offering support services, or instruction through Disabled Student Programs and Services (DSPS), on and/or off campus, to students with disabilities pursuant to Education Code Sections 67310-12 and 84850.”

Section 56006 identifies how eligibility is determined for potential DSPS students. It specifically references assessment being performed by DSPS professional staff, which again is predominantly in the form of Learning Disabilities assessment. This means that all 112 colleges have the authority to provide LD assessment, which requires an appropriately trained professional (LD Specialist) to perform these assessments.

(a) “In order to be eligible for support services or instruction authorized under this subchapter, a student with a disability must have an impairment which is verified pursuant to subdivision (b) which results in an educational limitation identified pursuant to subdivision (c) of this section.

(b) The existence of an impairment may be verified, using procedures prescribed by the Chancellor, by one of the following means:

- (1) observation by DSPS professional staff with review by the DSPS coordinator;
- (2) assessment by appropriate DSPS professional staff; or
- (3) review of documentation provided by appropriate agencies or certified or licensed professionals outside of DSPS...”

Required investigation of the following and statement of findings:

- Contacted an associated professional organization to determine support of proposal
- Included evidence of degrees within the proposed revision of the discipline or new discipline.
- Provided a list of the titles of the degrees and programs to document the need for a new or revised discipline using the below criteria:
 - Minimum of three degrees
 - Regionally accredited institutions (all public institutions in California)
 - Disciplines in the Master’s List requires evidence of the availability of masters degrees
 - Disciplines in the Non-masters List requires evidence of the availability of degree, certification, and/or professional experience, if necessary
- Provided statewide need documented by evidence to show a change is necessary and not merely a response to a unique need of one college, district or region. Demonstrated a balance of need across the state and included a discipline seconder from another district.

- ❑ Explained the impact of proposal across the state using a list the pro and con arguments and including refutation of the con arguments
- ❑ Provided other evidence such as significant changes to the field that requires a change to the Disciplines List.

SUBMISSION

Once a proposal is received by the Senate Office, it is reviewed by staff to ensure that all the information is complete and includes the revision, contact information, appropriate signatures and rationale. The Senate Office will also check to ensure that the proposal has not previously been considered and rejected by the delegates at a plenary session or, if it has, it is supported by a new rationale. The proposal is then sent to the S&P Chair to review the Senate Office information and to ensure that the proposal meets the initial requirements of the Disciplines List review process as well as to verify that the proposal is not being submitted to deal with a district-specific problem that does not apply broadly. If there are any concerns with the proposal, the S&P Chair, working with the S&P Committee, will immediately follow up with the initiator.

The contact person (or a designee) will be required to attend hearings where the proposal is presented. These hearings are typically held at the ASCCC plenary sessions. It should be noted that the contact person is responsible for investigating and documenting the need for changes to the Discipline List.

Please reference the Disciplines List Handbook for information about the process including the role of the initiator, the Standards and Practices Committee, the Executive Committee, and the delegates. This handbook can be found on our website at <http://asccc.org/disciplines-list>.

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Signature of College Academic Senate President¹ _____

College _____

Email _____ Date approved by College Academic Senate _____

OR

Organization California Association for Postsecondary Education and Disability (CAPED)

President Grace T. Hanson

Date Approved by Organization September 29, 2014 Phone for President (909) 238-6357

RETURN FORM TO:

The Academic Senate for California Community Colleges
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Email: disciplineslist@asccc.org

¹ By signing this document, the Senate President is certifying that the required investigation and statement of findings have been sufficiently addressed.



CALIFORNIA
ASSOCIATION FOR
POSTSECONDARY
EDUCATION AND
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September 30, 2014

The Academic Senate for California Community Colleges
555 Capitol Mall, Suite 525
Sacramento, CA 95814

Dear Academic Senate Members:

Attached please find three proposals for your consideration. Two are revisions to the minimum qualifications for faculty in Disabled Student Programs & Services, Title 5, Section 53414, and Section 56048. The third is a proposal for a new discipline under Section 53414.

Specifically, the California Association for Postsecondary Education and Disability is requesting that the DSPS Counselor minimum qualifications (Section 53414) be updated to reflect new and available degrees that address the necessary skill sets to provide counseling services to students with disabilities. Additionally, this proposal changes the language to closely mirror the language used in the general counseling and EOPS counseling minimum qualifications. We believe that this change will reduce the confusion that currently exists among Human Resources Departments and others at the local community colleges.

The addition of the new discipline, Learning Disabilities (LD) Specialist, will address the growing concern that the current Title 5 minimum qualifications do not address the full role of an LD Specialist or the requisite educational and experiential background in cognitive assessment. There are cases where colleges, strictly following the current minimum qualifications for instructional faculty or counselor, have hired faculty who could not fully perform the functions of an LD Specialist.

Finally, we are requesting that Section 56048, if approved as amended, be added to the Minimum Qualifications Handbook just like the EOPS Director, Section 56262. The amendments to Section 56048 we are recommending, add the word "Director" along with the existing language about "Coordinator." This change is necessary to reflect the reality of the field and provide colleges with more hiring and staffing options. Current minimum qualifications allow for hiring the DSPS faculty coordinator under Sections 53414 or 53420. Typically the faculty coordinators have limited to no supervision over DSPS faculty and staff. At the local level, about 50% of the colleges hire coordinators, which are typically faculty positions; and the other 50% or so, hire directors. The existing language does not provide for the administrator level position title, which some colleges choose to hire to provide direct supervision to faculty and classified staff in DSPS.

These three proposals have gone through rigorous discussion, several revisions, vetting with a variety of groups in the DSPS field and CAPED membership, and finally a vote of the CAPED Officers to forward the attached proposals. As current President of CAPED, I am the responsible party to these proposals and am available to you for questions or comments. I thank you in advance for your consideration of these proposals.

Truly yours,

Grace T. Hanson
President