

June 6, 2016

Dear Chancellor Dirks,

We, the Berkeley Disabled Students (BDS), are writing to demand changes to University policy and implementation in order to end on-going discrimination toward the disabled student body. We are a student group comprised of undergraduate and graduate disabled students. BDS was created as we felt there were no other student groups on campus that were fully representing our on-going complaints/issues of repeated patterns and practices of discrimination over the years. Many of us view our disability as an identity, not a problem to be cured. Many of the barriers we face to success are derived from oppressive, ablest systems and not the limitations of our bodies.

It is long overdue that U.C. Berkeley treat the disabled student population with the same anti-discrimination lens granted to other protected identities. This is particularly true as the University frequently violates our rights under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973. Disability discrimination violations have been reported, investigated and proven in recent years by the Office of Civil Rights along including individual and class action lawsuits by students against UCB.

Our grievances are outlined below:

1. The Disabled Students Program (DSP) has failed to provide timely, accessible accommodations to the student body. This includes failure to complete intakes, provide: alternative format course materials, note-taking accommodations, captioning, sign-language interpreting, and timely assistive technology. DSP has been in crisis over the past years and students with disabilities have been paying the price far too long. The excuse of staff shortages is not acceptable. This has been a management and administrative issue. DSP students who require federal and state mandated accommodations have varying needs and before DSP had specialists that were trained in identifying those needs. Today there is no one in DSP who is qualified or trained to read, assess, and approve/deny such accommodations.
2. DSP staff have engaged in hostile and prejudicial discourse with disabled students and have provided inaccurate and harmful guidance to faculty who deny student accommodations. DSP has become adversarial to disabled students, rather than a safe source of support. Many students have reported to BDS feelings of being devalued, dehumanized, humiliated, retaliated against, and our disabilities impacted in harmful ways due to discrimination by DSP, faculty, and staff of U.C. Berkeley.
3. Faculty do not understand DSP or how to implement reasonable accommodations. Due to this lack of understanding and failure of DSP to provide accurate training, students have been functionally denied accommodations granted to them by DSP, therefore violating students' rights. Because of these issues, DSP students are not able to fully participate in their coursework, classroom activities and discussions thereby creating discriminatory barriers to their education.

4. Tuition is not prorated for disabled students who must access part time coursework as a reasonable accommodation. This approach to tuition is harmful to all low-income students. Given that disabled people are more likely to drop out of college, experience unemployment and live in poverty, this is especially egregious to disabled students.
5. Grievances must be filed with DSP directly, thereby creating a conflict of interest.
6. The University has selected an able bodied person to head DSP.
7. TRIO/SSS Project has not been functioning and has been out of contract compliance for the last few years leading to the perception of federal fraud and lack of transparency.

We demand that:

1. Clear guidelines be created documenting the time frame by which all reasonable accommodation requests must be processed and recourse be detailed should DSP fail to provide these accommodations. This includes all requests for all auxiliary and alternative format resources, intakes, and assistive technology.
2. Qualified DSP Specialists be hired and trained. Currently there are approximately 1900 students with disabilities registered with DSP and only 3 Specialists. In the past, there were as many as 8-10 Specialists who had many years of qualified training in a variety of disabilities who were specially trained to read medical documentation. Currently there is no one in DSP qualified to read medical documentation in supporting students with disabilities and their DSP accommodation requests. In the hiring of any new DSP Specialists, there must be students with disabilities as part of the interviewing process in order to provide critical insight and input of students' specific disabilities as it relates to accommodation requests/needs.
3. The medical model of disability be dismantled and DSP refocus on providing services that disabled students need to be successful, rather than treating students as beggars asking for handouts or cheaters trying to game the system. It is critical the University cease utilizing medical barriers to prevent students from receiving DSP accommodations, such as forcing students to pay for forms to be completed by doctors or undergoing invasive medical testing for verification of disability.
4. Mary Lee Vance, Associate Director of DSP, step down and all staff receive appropriate training in disability advocacy. DSP must be re-established as a safe space for disabled students as currently students have reported that they do not feel safe going into DSP or communicating with hostile staff.
5. An accurate and truthful reporting of DSP requested accommodations/services by DSP students be instituted. Currently there is no system in place for documenting and tracking the provision of student requests for accommodations/services. The \$1 million SCARAB software that was

purchased and used over the years has not worked efficiently for both students, faculty, and staff.

6. An independent third party in disability rights advocacy train all faculty in students' rights. This training must be mandatory for all staff and faculty interacting with students.
7. Tuition be prorated for part time students.
8. All grievances go to the Disability Compliance Officer who has oversight of complaints of disability discrimination and DSP. We would like to see the Interim status be changed to a permanent hire position. Currently the Interim title gives concern to students and faculty that this position may only be temporary and eliminated thereby giving students/faculty no safe venue to submit complaints.
9. The University hire a disabled head of DSP and that all members of the advisory board be disabled people. BDS demands representation at all decision making tables/meetings so that our voices and interests are represented. The motto of the disability rights movement has always been: "nothing about us without us." Allies of the disability movement are valued, but they should not be placed above qualified disabled candidates.
10. An external, un-conflicted, and unbiased investigation of how, where, when all Federal/State funding targeted for services for students with disabilities at U.C. Berkeley has been distributed and utilized.
11. A disability task force be created where all invested parties, including BDS, be on the task force.
12. UCB administrators fully support and take corrective action laid out by the Faculty Coalition for Disability Rights at UC Berkeley (FCDR) in both their letters dated 12-9-15 and 4-12-16.

We want U.C. Berkeley to be a progressive, safe space for disabled students. We wish for the University to recruit us and be as invested in our success as other protected identities. We are not an unfortunate problem for Berkeley to be forgotten until we drop out. Universal design benefits all students. Accessible architecture benefits all students.

We will not stop pursuing these issues until U.C. Berkeley has laid out concrete plans to address our grievances and has demonstrated through action its support for the disabled student body.

Sincerely,

Berkeley Disabled Students (BDS)

cc: Na'ilah Suad Nasir, Vice Chancellor of Equity and Inclusion