

# The UC Berkeley Parent Coalition for Student Disability Rights

September 30<sup>th</sup>, 2016

Dear Chancellor Dirks,

On August 30th, Karen Nielson, Director of the Disability Students' Program (DSP), issued a brief, short notice, and vague email inviting some of the students that are in the Disabled Students' Readiness Program (DSRP)/Workability IV (WAIV) program to a meeting with her and the Vice Chancellor Nasir, Equity and Inclusion. Many of the students who actually received the invitation did not understand the purpose of the meeting so early in the school year; therefore, it was poorly attended.

The purpose of this little impromptu meeting was to inform students with disabilities that the WAIV program, which they had been counting on to survive and succeed at Cal, had been unceremoniously cut. Hearing that their lifeline was now severed, many openly wept.

Those who missed the meeting would hear of their promised services being ended via an email from Karen Nielson, in her first act as UC Berkeley's new Director of DSP. In this email, Ms. Neilson asserts that 4 weeks earlier the University was given new guidelines with "drastic financial changes" from the Department of Rehabilitation (DOR) who pays for the program from a grant given by the government. She goes on to claim that the University was being asked to "fully fund the WAIV program services."

A copy of this email is provided herein for your convenience.

In actuality, there were no "drastic financial changes" – instead, the only change was that the new Workforce Innovation and Opportunity Act (WIOA) guidelines that required the University to provide direct services instead of indirect ones to students. The WAIV program is funded by federal WIOA dollars totaling \$629,000 – of that money, \$314,000 goes to the Department of Rehabilitation (DOR) and \$314,000 goes to the University for the program.

**To say that the campus was being required to "fully fund the WAIV program services" is completely false.**

Ms. Neilson goes on to assert that WAIV is *"a very restrictive workforce development program" that "funds four full time staff and a percentage of the salaries of two DSP administrators along with other department staff."*

**This indeed is a lot of staff being funded by one government grant.**

The description on the University's website of the WAIV program, still online as of 9/29/16, paints a vision of services that is anything but "restrictive."

*DSRP helps eligible disabled students make the transition from home, to school, and on to employment. It is designed to help you get through Cal, and onto a productive and fulfilling career.*

While employment skills and training are at the core of the WAIV program, these skills in many ways parallel those needed to be successful in college at UC Berkeley.

**“Career training” at UC Berkeley starts with providing the services and supports to enable a student with a disability to succeed at school in their major.**

Isn't Berkeley, the nation's number one public University, home of the disabilities rights movement, interested in enabling and empowering its students, including those with disabilities, so that they are prepared to join and, in fact become leaders in the workforce?

According to Ms. Neilson, the program “served 60 students with four full time staff during the 2015-16 school year.”

No data was given for the current school year, even though it had indeed started; the WAIV program was in full swing with social skills training launched, and Kevin, Linda, Sandy, and Esther attending to students many varied needs.

As the rates of students with disabilities needing the DSRP/WAIV services is on the rise, it's reasonable to assume that upwards of 80 students with disabilities were counting on this help to succeed at Cal. Students with disabilities like autism spectrum disorders, mobility impairments, wheel chair users, chronic medical conditions, mental health issues, blind and visually impairments – were relying on these services to manage and thrive at this very large, public university where a typical Freshman class can have between 600 to 800 students in it.

The gist of the University's message to those disabled students at that meeting and to the public at large is: “UC Berkeley would have to commit more than \$250,000 of new funds to this program” and we're really sorry students with disabilities, but you're just not worth that kind of money nor are you a priority.

As if that message wasn't insulting and damaging enough, to add insult to injury is knowing that UC Berkeley wasn't being asked to commit any extra or new funds to the program. It was being asked to use the government grant and the same, agreed upon commitment as in the past towards providing direct services – instead of, say, using the money to fund other programs, other staff not working with the students and for those not part of the WAIV program.

The UC Berkeley Parent Coalition for Student Disability Rights would like to know:

- Why the students were told that the DOR was making UC Berkeley totally fund the program, forcing the University to come up with over \$250,000 when this is blatantly not the case?
- How the University could promise and mislead students by proclaiming it offered a vast array of services – both verbally and in print and online media -- in the WAIV program to entice students with disabilities to enroll, only to wipe those services out a couple of weeks into the school year?

- Why UC Berkeley is the only University to cancel the entire WAIV program, when all of the other California Universities, both state and UC's are able to keep their programs running and service their students with disabilities?
- Why the WAIV program was used to pay 6+ DSP staff (we would like to know how many "others" Ms. Neilson is referring to in her accounting of where the WAIV money went)?
- Why the WAIV program couldn't be kept alive with even one full time staffer – preferably Kevin Shields as he had the most experience successfully working with the students and staff?
- Why the TRIO program is being touted by the University as a replacement for WAIV – when none of the services or programs provided by WAIV are being offered through TRIO or any other program at UC Berkeley? And some of the students who have been referred to TRIO (which only has room for 250 students who need to meet certain criteria) have been denied services that had been previously given by both WAIV and TRIO in the past?

Additionally, the UC Berkeley Parent Coalition for Student Disability Rights demands the following promised services, accommodations and resources that were provided over the years under WAIV/DSRP be reinstated immediately:

- The DSRP room, a safe haven in building one of the dorms – an accommodation provided by the University for over 40 years. While this office used to be opened 24/7, it had this past year at least been opened every day during the week until 4pm.
- At least one, preferably two full time staff. We request that Kevin Shields keep his position as he has earned his trust servicing the needs of the disabled community at UC Berkeley for a number of years and understands both the needs of the students and the inner workings of the University to best assist those in the program.
- Advocacy Skills training
- Study Skills Group formation training
- Assistance and training in learning to work with lab partners and teams
- Scheduling and managing school workload strategies
- Mentorship
- Tutoring
- Mobility and Travel Training for public transportation
- Anxiety Management and Coping Skills
- Preparation and Advice on getting and keeping internships
- Part-time job placement on campus
- Accredited Courses in disability awareness
- Lessons in how to disclose your disability to faculty, peers and future employers
- Grooming skills, hygiene and self-care required for success
- Outings to promote community involvement and peer relationship development
- Classes in telephone, email and texting skills and etiquette
- Career planning, goal setting and readjustment of goals if necessary
- Lessons in money management, personal budgeting, and planning skills

All students have academically and personally worked hard and earned their right to be a student at UC Berkeley and to be valued the same. In many cases, students who have disabilities that entitled them to be in the WAIV program have had to work even harder than their able bodied peers.

Instead of being known for being the defenders against social injustice and protectors of diversity, including neurodiversity, UC Berkeley is quickly gaining a reputation as intolerant, uncaring and elitist, exemplified not only by the cancelling of the WAIV program, but by the recent findings that the University was found to be out of compliance with the ADA by the U.S. Department of Justice.

The UC Berkeley Parent Coalition for Student Disability Rights asks that the University stop its downhill slide and reinstate the WAIV program, and to keep Kevin Shields at the helm of it.

We also ask that all of the DSRP Services that have been silently swept away over the years be reinstated; and that the message sent to the students and the public is not be one that “this program only services 60 people with disabilities so therefore it is not worth our time, our money or our efforts.”

**Send the message that disabled students matter at this school and that Universal Design benefits everyone.**

Sincerely,

The UC Berkeley Parent Coalition for Student Disability Rights

Cc: Na'ilah Suad Nasir, Vice Chancellor of Equity and Inclusion  
Khira Griscavage, Associate Chancellor  
Nils Gilman, Associate Chancellor and Chief of Staff to the Chancellor  
Angelica Stacy, Associate Vice Provost for the Faculty; Professor of Chemistry  
Fabrizio Mejia, Executive Director, Centers of Educational Equity and Excellence  
Karen Nielson, Director, Disabled Students Program  
Derek Coates, Disability Compliance Officer  
Amy Scharf, Project/Planning Analyst for the Division of Equity and Inclusion  
Carol Christ, Interim Executive Vice Chancellor  
Faculty Coalition for Disability Rights at UC Berkeley  
Berkeley Disabled Students