



DSPS FACULTY FREQUENTLY ASKED QUESTIONS

What is my responsibility in accommodating the needs of students with disabilities?

Academic departments (and the individual faculty members who make up those departments) are responsible for ensuring that their programs are accessible to students with a disability. This responsibility covers physical access to the location where the activity will occur and modifications necessary in the format or delivery of information which would make it accessible to an individual with a specific disability. Each academic department should have in place a written (according to the Americans with Disabilities Act [1990] guidelines) procedural policy plan which faculty members can follow when individuals with a disability request accommodation.

How will I know if there are persons with a disability needing accommodation in my class?

Request that individuals requiring special accommodation contact you after class or during office hours. Print this information in your syllabus. In this way you give students "permission" to approach you with their needs.

How do I know that the accommodation the student has requested is appropriate and legitimate?

If the student presents to you an Academic Accommodations Authorization, prepared by the DSPS, you can be assured that student has provided the College with proof of a disability under the legal definition of the word. The type of special accommodation requested on the form will be one which has legitimacy in relation to the disability listed. A student not presenting such a form or any other type of proof of disability and whose outward appearance does not make existence of a disability apparent can be referred to the DSPS to complete a request for service.

How can I be sure I am doing what is necessary to provide academic access?

The most successful way to ensure academic access is to discuss with the student what his/her needs are. No two students with disabilities are alike. Only a personal conference with the student in which you discuss both the course demands and the student's accommodation needs is likely to provide both parties with a satisfactory outcome. It is a good idea to put into writing what you and the student agree will be done so that there can be no confusion. If you have questions as to why the student needs a

particular accommodation, feel free to call DSPTS for more information. (ext. 4450)

Suppose I don't agree to provide accommodation in the exact way the student is requesting it?

There are usually several ways that a student's special needs are met. All federal law requires is "reasonable" accommodation. If your method meets that criterion in light of the student's disabling condition, you have complied with the law. However, if the objection stems from the student's use of an assertive device necessary to compensate for his/her disability (tape recorder, etc.), federal law may require that it be allowed. You may, however, require the student to complete an agreement which covers problems you envision with the device (such as not releasing the tape recording or transcription, allowing you to erase tapes, etc.). A model form for such an agreement is available in DSPTS.

Am I being asked to compromise academic standards or give the student with a disability an advantage?

Definitely not. If the existence of the disability has been verified, the accommodation should have the purpose of providing an equal opportunity to the student, in effect starting the student on equal footing with others. To compromise standards or "water down" the requirements would not assist the student to acquire a competitive degree. The student with a disability should fulfill all the essential course-related requirements; however, altering the font-, substituting an equivalent requirement, or changing the method of meeting requirements may provide the student a more equitable chance at success.

By making certain accommodations to students with disabilities, am I discriminating against the other students who would probably prefer such things as extended time for tests, etc.?

Technically, it may appear that preferential treatment is being given to students with disabilities; however, the objective of the legal requirement is to help the student compensate for a life function which is not the same as that of other students in the class. Through the accommodation we attempt to provide the student with the same opportunity that other class members have without special measures. The law allows, and in fact requires, that special needs be met.

Where do I go for assistance in providing accommodations?

The DSPTS office can provide information and assistance in dealing with many of the concerns you may have about accommodating students. The office has information on many creative ways to accommodate students and can provide the instructor with information about how other institutions have solved access problems.

What specific help does the DSPTS offer to faculty members?

The specific charge of DSPTS is to assist students with disabilities to matriculate; however, the office serves as a resource/liaison for any and all concerns which may arise in relation to students with disabilities.

Exactly what does the law say in regard to academic accommodations?

Section 504, Rehabilitation Act of 1973 (Public Law 93-112 and subsequent regulations) has several sections which deal specifically with academic accommodations. Part 104.43, Treatment of Students, states: "No qualified handicapped student shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic, research, occupational training, ...counseling, ...physical education, ... or other post-secondary education program or activity". The regulations further state that students must be educated in the most integrated setting appropriate to the individual's needs. Part 104.44, Modification of Requirements, states that modifications must be made to academic requirements to ensure that they do not discriminate against a qualified student with a disability. Academic requirements which can be demonstrated to be essential to the program of instruction being pursued (i.e. to the degree) or to any directly related licensing requirement are not considered discriminatory. Modifications such as changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements and adaptation of the manner in which specific course are conducted may be necessary.

The requirements further state that tape recorders, guide dogs, brailers, interpreters, note takers, or other "aids or adaptations which may be necessary to provide equality of access may not be prohibited from the classroom." Course examinations or other evaluation must be

provided by methods or in formats which will best ensure that the results of the evaluation represent the student's achievement in the course, rather than reflecting the impairment.

Finally, the regulations state that "auxiliary aids or adaptations must be provided to ensure participation of students with impaired sensory, manual or speaking skills in classroom instruction or to ensure that such students are able to benefit from the instruction." These may include taped textbooks, readers, interpreters, note takers, typewritten transcripts, adapted equipment, or other effective methods of making classroom presentations accessible to the student. The institution has flexibility in choosing the methods by which the aids will be supplied and can opt to use resources already available through state vocational rehabilitation agencies, textbook taping services, etc. Within the classroom, partnering the student with a classmate for lab situations and using volunteer note takers, etc., are legitimate methods of making accommodation. It is not necessary to provide attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature.

The Americans With Disabilities Act of 1990, signed by President Bush in July, is a civil rights act enlarging the scope of Section 504. It protects individuals with disabilities from discrimination by certain employers, by providers of public services (such as housing, transportation, communication), and by States, agencies, political subdivisions of States, or boards, commissions or other instrumentalities of States and political subdivisions. It provides legal resource whenever persons with disabilities are denied equal opportunity to gain the same benefit, obtain the same result, or reach the same

level of achievement as individuals who are non-disabled in the most integrated setting appropriate to the individual's needs. Qualification standards, selection criteria, performance standards or eligibility criteria that exclude or deny services, programs, activities, benefits, job or other opportunities to an individual with a disability must have been demonstrated to be both necessary and substantially related to the ability of an individual to perform or participate or take advantage of the essential components of the particular program, activity, job or other opportunity. These standards must be detailed in writing and available to the general public for viewing (Title II, ADA, Sec. 35:106).