

Student Accessibility Services

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Student Accessibility Services

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25%

61 Million - The number of adults in the United States with disabilities

What Constitutes a Disability?

Physical or mental impairment that substantially limits one or more of the major life activities; record of such an impairment; or being regarded as having such an impairment. (American with Disabilities Act, Title II Regulations, 35.104, DOJ)

“Physical or mental impairments” include but are not limited to,

- Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine;
- Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
 - The phrase physical or mental impairment includes, but is not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

“Major life activities” include but are not limited to,

- Caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. *See* Amendments Act § 4(a) (codified as amended at 42 U.S.C. § 12102)

What Constitutes a Disability?

Record of such an impairment...

- Means that the person has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities, even though the person does not currently have a disability.

Example: *A student has a history of cancer treatment; although they are now free of cancer, they are not allowed entrance to the nursing program because faculty are concerned if the cancer returns, the student will not be able to meet the essential functions of the program.*

Being regarded as having such an impairment...

- “Regarded as” means that the person either:
- Has an impairment that does not substantially limit a major life activity;
- Has an impairment that substantially limits a major life activity only as a result of the attitudes of others toward them; or
- Does not have any impairment, but is treated by an entity as having an impairment.

Example: *A student frequently cries in class, appears unfocused, has a flat affect, is often late, and is doing poorly on exams. An instructor is concerned and talks with the student about receiving additional time on the upcoming exam. In follow up, the instructor emails the student stating “Due to the significant depression you are clearly experiencing, I am granting extra time on this week’s exam.”*

Determining Disability and Impact

Disability is a mental or physical impairment that substantially impacts one or more major life activity.

- A diagnosis does not necessarily equate to a disability and a disability may not be disabling in all environments.
- To determine whether an individual has a disability, the institution must look at the functional impact of the diagnosis/condition on relevant major life activities and how that impacts a student's access to their education.

	High School	College
Applicable Laws	IDEA, Section 504, Section 508	ADA, ADAAG, Section 504, Section 508
Purpose of the Law	Entitlement Law - Focus is Success	Civil Rights Law - Focus is Access
Definitions of the Law	The law defines specific disability categories for children, including educational disabilities.	Defines disability as having a physical or mental impairment that substantially limits one or more major life activities, having a record of such impairment, or being regarded as having such an impairment.
Requirements of the Law	Provide every student with a free appropriate public education in the least restrictive environment.	The college must provide persons with disabilities, to the greatest extent possible, access to all programs, policies, practices, and procedures.
	Education is a right and must be provided.	Education is <u>not</u> a right--students must be "otherwise qualified" to enter college, without consideration of a disability.
	Fundamental alterations of programs are often required.	Fundamental alterations of programs are not permitted--only accommodations.
Services Provided	Protect the rights of children with disabilities by emphasizing special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living.	Protect people with disabilities from discrimination (based solely on disability) in the educational setting which means providing equity in access to higher education.
Identifying the Disability	The school district is responsible for identifying a student's disability.	Students must self-identify.
Evaluating and Documenting the Disability	The school district is responsible for evaluating and documenting a student's disability.	Students must obtain evaluations at their own expense and provide adequate documentation of a disability.
Accommodations	The Individualized Education Plan is developed with parents, teachers, and other specialists involved with the student. The primary responsibility for arranging accommodations and modifications belongs to the school.	An accommodations plan is developed with the student and the Accessibility (Disability) Services Office. Primary responsibility for advocating for accommodations belongs to the student with the assistance of the Accessibility (Disability) Services Office.
	Personal services for medical and physical disabilities are required.	No personal services are required at the college level.
	Classroom teachers are a part of the IEP process, have access to the IEP, and should have a thorough understanding of the disability and the plan in place.	Instructors receive an accommodations letter which is a brief summary of the academic accommodations required but does not provide information about the specific disability.

Higher Education & Disability Laws

The purpose of the laws are to provide an alternative way to accomplish the course requirements by eliminating or reducing disability-related barriers.

- **ADA, ADAAA and Section 504 of the Rehabilitation Act** are civil rights laws that prohibit discrimination in college recruitment, admission, or treatment of students with disabilities.
 - Programs, courses, field trips, internships, practicum sites, as well as services, activities, and facilities must be accessible to people with disabilities.
- **Section 508** establishes requirements for electronic and information technology developed, maintained, procured, or used by the Federal government. Section 508 requires Federal electronic and information technology to be accessible to people with disabilities, including employees and members of the public.

Purpose of Accommodations in Higher Education

Based on Disability Laws

An accommodation is an alteration to the academic environment to ensure students with disabilities have equitable access to course materials, information, activities, programs, and campus facilities.

- Students are not guaranteed accommodations because they have a diagnosis or a disability.
- Accommodations are not intended to lower course standards or alter degree requirements; provide equal access and opportunity “level the playing field”; and cannot place an undue burden on institution.
- Accommodations must be reasonable and not fundamentally alter a program or course.

Fundamental Alteration

A change that is so significant to a policy, practice, or procedure that it would change the nature of what is offered.

- Determinations must be made by a group that includes individuals who are knowledgeable in the discipline/area, the available alternatives for instructional delivery and evaluation and disability.
 - University of Houston, OCR# 06-02-2029
 - Guckenberger v. Boston University, 657 F. Supp. 106
 - Wynne V. Tufts University School of Medicine, 932 F.2d 19
 - School Board of Nassau County v. Arline, 480 U.S. 273

UNI Student Accessibility Services

- **Student Accessibility Services engages in the individualized process of determining reasonable accommodations for students, based on the nature of the disability and the academic or living environment.**
- **The student's past accommodations history, personal narrative and supporting documentation related to their disability are taken into consideration when making accommodation determinations.**
- **We believe in working collaboratively with students, faculty, and staff to provide accessible and equitable opportunities for all students.**

Accommodations Process at UNI

Steps 1 - 6 include the steps students, SAS staff, and faculty take throughout the accommodations process.

Step 1: Student requests accommodations through online application.

- After SAS staff receive an application, we read through it to determine if there is anything more complex or unique.

Step 2: Students submit documentation through Accommodate (online).

- Once SAS staff receive documentation, we review it to understand the content and relationship to the student and to determine whether it meets documentation guidelines, provides a doctor signature, and that it is on some form of official letterhead.

Step 3: Student requests an appointment with SAS through Accommodate (online), which is a required step..

- Students receive a confirmation email with their appointment time and date.

Accommodations Process at UNI



Step 4: Student and SAS staff meet to discuss their disability, related barriers and reasonable accommodations.

- SAS staff review the documentation, application, and notes from the initial meeting to determine whether there are additional questions that need to be addressed and then collaboratively discuss possible accommodations with the student.
- SAS staff review how to use the accommodations, what steps their faculty will need to take, encourage communication with faculty as it pertains to their specific courses.

Step 5: Students and faculty are emailed the accommodation letter at the same time.

- Both are asked to sign the letter, indicating that they have both read and understood the letter.
- The moment the letter is sent and received in faculty email, the accommodation(s) are a requirement and if UNI staff do not provide the accommodation as listed, the institution is considered out of compliance.

Step 6: After reading the letters, if faculty have a question about implementation of an accommodation(s), please connect directly with Assistant Dean of Students - SAS as soon as possible.

23%

Increase between Fall 2021 and Fall 2023 in renewed and new academic accommodations for Fall semester.

Help SAS Better Serve Students & Faculty



SAS recognizes there have been multiple changes over the last 2.5 years and we would like to ensure we are providing meaningful opportunities to educate and discuss these changes.

- SAS has created and/or expanded on processes which is an adjustment for everyone. We would like your assistance in helping faculty navigate and engage in these processes.
- As a way to provide more guidance and information, SAS adjusted the language utilized in the accommodation letter as well as the format of the letter, ideally clarifying roles and responsibilities.
 - We also encourage faculty to explore the Faculty Guidebook for Implementing Accommodations as a resource.
 - **For Example:** Encourage faculty to connect with the Assistant Dean of Students - Student Accessibility Services (Tiffany Dodd) related to any concerns about Fundamental Alteration.

Help SAS Better Serve Students & Faculty



SAS guidelines and processes are in place partly to assist and partly to protect both students and faculty.

- **For Example:** Students are not required to meet with faculty in order to receive their accommodations.
 - Concerns: Power differential, student perception of intention, discussion surrounding the student's disability
 - Positives: Limits perception of negotiation, protects faculty from discussing information that could later be perceived as impacting a student's course outcome

Faculty are encouraged to talk with their students about the course, academic concerns, and engage in supporting students with disabilities just as they would support a student without a disability.

- **For Example:** Faculty should not determine/provide accommodations for students based on a perceived disability.
 - Again, faculty are encouraged to navigate challenges with students; however, it is important that if alternative testing methods are employed for a student, the faculty member would be willing to do so for all students.
 - If a change in testing methods is based on a student's disclosure of diagnosis/disability or perception of such, this should be referred to SAS.

Help SAS Better Serve Students & Faculty



SAS would like assistance encouraging faculty to reach out to SAS staff so that we can problem solve together.

- **If a student shares a concern**, we understand we only have the student perspective; so, SAS reaches out to faculty to try and understand the situation in a more holistic way.
 - We would love for faculty to connect with us, if a student brings a concern to them or if the faculty member is concerned with how SAS is supporting a student.
- **If a faculty member** does not feel that a particular accommodation can be implemented in their course, we want to navigate that with them.
 - We have changed or adjusted accommodations in classes based on these conversations.
 - We have connected with department heads to help determine additional supports for a faculty member to assist with the implementation of a particular accommodation.
- **If faculty in a specific department** have concerns, SAS would welcome a Department Head reaching out to schedule a meeting with the department as a whole to address concerns related to accommodations.
 - Great way to address larger, more systemic concerns, especially if the department has unique experiential learning components.

Help SAS Better Serve Students & Faculty



SAS recognizes the importance of timely responses to both students and faculty and we are regularly reviewing our processes to make adjustments.

- Fall 2024 will be the first semester SAS is fully staffed since I began 2.5 years ago.
- SAS has made adjustments to accommodations language to make them more specific and provide more thorough explanations.
- If a student needs to connect with SAS, help them or encourage them to schedule an appointment with SAS online.

Before you reach out to SAS...

- Reread the accommodation letter to see if it answers your questions.
- Review the Faculty Guide for Implementing Accommodations to check if it addresses your questions.
- Utilize SAS Faculty Office Hours to give us a call! (6 hours available starting Fall 24)
- If faculty haven't been able to connect at that point, email the general SAS account with your question and a few date/time options for meeting.

Help SAS Better Serve Students & Faculty



SAS utilizes Accommodate as their management software which ideally better supports students, staff, and faculty.

- If a student comes to a faculty member and indicates they need something from SAS, need to make a change, have a new development, etc., please remind students that the most effective way to get an appointment with SAS is to make an appointment through Accommodate.
 - Ways to make an appointment:
 - Send the student to our front desk and staff will assist them
 - Direct the student to our website for directions
 - Have the student call our office and staff will talk them through each of the steps as they complete them
 - Faculty can help them make an appointment through the student's [Accommodate](#) account

Call or email to set up departmental meetings with SAS!

319-273-2332

accessibilityservices@uni.edu

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