

Executive Summary

- As TC receives federal funds, we must comply with 502 and ADA
- 502 and ADA require **reasonable** accommodations to individuals who are otherwise qualified
- Faculty/Staff cannot limit participation
- Testing accommodations are in place to test 'achievement'
- Last slide has references

Working Together:

Faculty, Staff
And Students
With Disabilities



Presentation Outline



- Legal Responsibilities
- Examples of Disabilities
- Strategies
- Resources



Section 504 of the 1973 Rehabilitation Act 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, housing, health insurance, counseling, financial aid, physical education, athletics, recreation, transportation, other extracurricular, or other postsecondary education aid, benefits, or services to which this subpart applies."

34 C.F.R. Chapter 1, Subtitle B, Part 104, Subpart E, sec. 104.43

Otherwise Qualified:

"With respect to postsecondary and vocational education services, a handicapped person who meets the academic and technical standards requisite to admission or participation in the recipient's education program or activity" Ibid, sec 104.3.

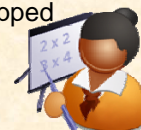


with or without

- Reasonable modifications to rules, policies or practices;
- Removal of architectural, communication or transportation barriers; or
- Provision of auxiliary aids and services


Academic requirements. A recipient to which this subpart applies shall make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped applicant or student.

Ibid, sec 104.44



Course examinations. In its course examinations or other procedures for evaluating students' academic achievement, a recipient to which this subpart applies shall provide such methods for evaluating the achievement of students who have a handicap that impairs sensory, manual, or speaking skills as will best ensure that the results of the evaluation represents the student's achievement in the course, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where such skills are the factors that the test purports to measure).

*Ref: C.F.R. 34, sec 104.44 (c)



Heard around campus

- “It’s not ... department’s job to provide accommodations”
- “I don’t see why I have to make accommodations”
- If the student can’t do the work assigned he shouldn’t be here”

Q:What if an instructor objects to the use of an auxiliary or personal aid?

- The Section 504 regulation states:
 “A recipient may not impose upon handicapped students other rules, ... that have the effect of limiting the participation of handicapped students in the recipient's education program or activity....”

1990 Americans with Disabilities Act and 2008 ADA Amendment

Definition of Person with a disability:

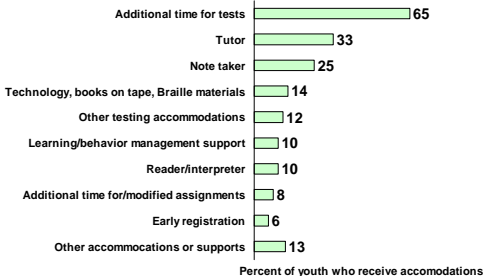
Is any person who

- has a physical or mental impairment which substantially limits one or more major life activities including, but 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.
- has a record of such an impairment; or
- is regarded as having such an impairment.

Examples of Disabilities

- AIDS
- Blindness
- Cancer
- Cerebral Palsy
- Diabetes
- Head Injuries
- Health Impairments
- Hearing Impairments
- Loss of limbs
- Mobility Impairments
- Multiple Sclerosis
- Muscular Dystrophy
- Speech Impairments
- Specific Learning Disabilities
- Spinal Cord Injuries
- Psychiatric Disorders
- Visual Impairment

Types of Accommodations and Supports Received From Postsecondary Schools by Youth with Disabilities



Accommodation/Support	Percent of youth who receive accommodations
Additional time for tests	65
Tutor	33
Note taker	25
Technology, books on tape, Braille materials	14
Other testing accommodations	12
Learning/behavior management support	10
Reader/interpreter	10
Additional time for/modified assignments	8
Early registration	6
Other accommodations or supports	13

Note: Of youth who have ever enrolled in postsecondary school, refers to current enrollment or for those not currently enrolled, their most recent enrollment.
 SOURCE: U.S. Department of Education, Institute of Education Sciences, National Center for Special Education Research, National Longitudinal Transition Study-2 (NLTS2), Wave 3 parent interview and youth interview survey, 2006.

Accommodation Strategies for specific conditions



Low Vision / visual impairments



- Large print handouts, signs, equipment labels
- High contrast text/backgrounds
- Use of colored filters/overlays
- TV monitor connected to microscope to enlarge images (i.e. biology labs)
- Class assignments in electronic format (D2L)
- Computer with enlarged screen images
- Seating where the lighting is best

Blindness



- Audio-tape, Braille, or electronic lecture notes, handouts, texts
- Describe visual aids
 - Raised-line drawings and tactile models of graphic materials
 - Adaptive lab equipment (e.g., tactile timers, talking thermometers, calculators, light probes)
 - Computers with optical character readers, voice output, Braille screen displays, printers

Hearing Impairments



- Interpreters, real-time captions, FM systems, note takers
- Face student when speaking
- Written assignments, lab instructions, demonstration summaries
- Visual aids, visual warning systems for lab emergencies
- Repeat questions and statements from other students
- Electronic mail


Specific Learning Disabilities



- Note takers and/or audio-taped class sessions
- Extra exam time; alternative testing arrangements
- Visual, aural, and tactile demonstrations incorporated into instruction
- Copies of course and lecture outlines
- Computers with voice output, spelling checkers, grammar checkers

Physical / Dexterity Impairments


- Group assignments, note takers/scribes, lab assistants
- Extra exam time, alternative testing arrangements
- Classrooms, labs, field trips in accessible locations
- Adjustable tables, lab equipment located within reach
- Class materials in electronic formats (D2L)
- Computers with special input devices (e.g., voice, Morse code, alternative keyboards)
- Example of physical/dexterity impairment: amputation, CP, carpal tunnel syndrome, hemiparesis



Health Impairments


- Note takers, audio-taped class sessions
- Flexible attendance requirements
- Extra exam time, alternative testing arrangements
- Assignments in electronic formats (D2L)
- Electronic mail

- Examples of health impairment—diabetes, lupus, sickle cell anemia



General Suggestions

- Syllabus statement
- Talk with student
- Select materials early
- Choose or make materials in electronic formats
- (Are materials 508 compliant?)
- Alternative testing arrangements
- Use campus services



Recommended Techniques for Addressing a Variety of Needs:

- Visual, aural, and tactile demonstrations incorporated into instruction
- Provide course and lecture outlines
- Alternative testing arrangements
- Addressing behavioral concerns in a non-judgmental way
- Repeat questions and statements from other students
- Group assignments and labs
- Flexible attendance requirements
- Stay consistent with your guidelines

Sources and resources

- Code of Federal Regulations, Title 34, Subtitle B, Regulations for the Offices of the Department of Education:
<http://www.ed.gov/policy/rights/reg/ocr/edlite-34cfr104.html#S3>
- Code of Federal Regulations 28, PART 35 Nondiscrimination on the Basis of Disability in State and Local Government Services
<http://www.ada.gov/reg2.html>
- United States Department of Education Office of Civil Rights
<http://www.ed.gov/about/offices/list/ocr/index.html>
- Section 508.gov-technology accessibility
www.section508.gov
- www.disabilityinfo.gov
- Job Accommodation Network www.jan.wvu.edu
- Association on Higher Education and Disability (AHEAD) www.ahead.org
- Think College resources for persons with intellectual and developmental disabilities. www.thinkcollege.net