

HAMILTON COLLEGE

**WORKING WITH
STUDENTS WITH
DISABILITIES:
RESOURCES FOR
FACULTY**

Office of the Dean of Students

Introduction

Hamilton College is committed to providing equal opportunity and access to qualified students with disabilities, and offers numerous support services.

Although the College does not have a specialized program for students with disabilities, Associate Dean of Students for Multicultural Affairs, Allen Harrison, coordinates individualized accommodations and support services for any student who has a documented need. Additional support is available to students through the Writing Center and Quantitative & Symbolic Reasoning Center.

This guide has been created to provide faculty with procedures specific to Hamilton, and general information about disability support services that will be helpful as you work with students. Specifically, this guide addresses your role as a faculty member, provides answers to frequently asked questions, lists common academic accommodations and introduces Universal Design for instruction.

We hope that you find the guide to be a valuable resource, and invite you to contact our office should you have questions or desire further information.

Role of the Faculty

It is the responsibility of the faculty member to determine the essential elements and standards of the academic program or course of study. Faculty should communicate both orally and in writing classroom policies and practices concerning attendance, grading, examination formats, extensions, office hours, and helpful resources so that students can determine what accommodations they may need in a particular class. The faculty must also protect disabled students' rights to privacy and confidentiality in all communications. Faculty members can also request confirmation of the appropriateness of accommodations from the Associate Dean of Students for Multicultural Affairs.

Though students with disabilities are capable and admitted to Hamilton under the same criteria as other students, they may be hesitant to come forward and, facing the demands within a college environment, may be discovering new, different, or unanticipated effects of their disabilities. Faculty can facilitate communication with students on disability-related matters by including a statement in their syllabi like the following:

“I request that any student with a documented disability needing academic adjustments or accommodations speak with me during the first two weeks of class. All discussions will remain confidential. Students with disabilities should also contact Allen Harrison, Associate Dean of Students for Multicultural Affairs in the Office of the Dean of Students (Elihu Root House; ext. 4021) who coordinates services for students with disabilities.”

Adapted from Colgate University Office of Academic Support & Disability Services Web site, (<http://offices.colgate.edu/disabilities/faculty.html>).

Frequently Asked Questions (FAQs)

Q1. Why are services provided to students with disabilities?

A1. The term *disability* is defined as a physical or mental impairment that substantially limits one or more major life activities. There are three federal mandates that relate to persons with disabilities and higher education: Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990 and, more recently, the Americans with Disabilities Act Amendments Act (ADAAA) of 2008.

The ADA is a federal civil rights statute that ensures that students with disabilities will have the opportunity to participate in postsecondary education without discrimination. The ADA upholds and extends standards of compliance set forth in Section 504 of the Rehabilitation Act of 1973 regarding the treatment of persons with disabilities in employment practices, communication, and policies and practices. The ADA extends these civil rights protections to people with disabilities in employment in the public and private sectors, public accommodations, transportation services provided by state and local government, telephone companies and the U.S. Congress. Title III of the ADA relates specifically to private colleges, while Title II applies to public institutions. Both statutes require the provision of auxiliary aids and services to qualified students with disabilities. Providing auxiliary aids and services is not considered special treatment, but rather an equal opportunity to participate in the services, programs, or activities offered by the institution. Also, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability by all recipients of Federal financial assistance; virtually all colleges and universities.

“The ADAAA emphasizes that the definition of disability should be construed in favor of broad coverage of individuals to the maximum extent permitted by the terms of the ADA and generally shall not require extensive analysis. The Act makes important changes to the definition of the term *disability*, thereby making it easier for an individual seeking protection under the ADA to

establish that he or she has a disability within the meaning of the ADA" (The U.S. Equal Employment Opportunity Commission, n.d.).

Taken from the brochure "The Americans with Disabilities Act – The Law and its Impact on Postsecondary Education," Association on Higher Education and Disability, 2001 & The U.S. Equal Employment Opportunity Commission: http://www.eeoc.gov/laws/statutes/adaaa_info.cfm.

Q2. What are my responsibilities as a faculty member?

A2. Faculty members play an important role in the campuses' shared responsibility for ADA compliance. For faculty members, providing reasonable accommodations or auxiliary aids and services is the primary way they accommodate qualified students. Examples include adaptation of materials, methods, or environments to facilitate learning. Accommodations may also ensure that when students are evaluated, they are able to demonstrate what they have learned rather than the effects of their disabilities.

According to the ADA, some of the responsibilities of institutions and faculty include:

- "There may be no exclusion on the basis of disability"
- "Participation should be in the most integrated setting possible"
- "There may be no discrimination through eligibility criteria"
- Reasonable modifications in policies, practices and procedures based on the documentation of disability should be provided as necessary to avoid discrimination on the basis of disability
- Examinations and courses must be accessible
- "There may be no harassment or retaliation against individuals who are accessing their rights under the law or against those who assist people with disabilities in accessing their rights."

Taken from the brochure "The Americans with Disabilities Act – The Law and its Impact on Postsecondary Education," Association on Higher Education and Disability, 2001.

Q3. How do I decide which accommodations are appropriate for a particular student?

A3. Because appropriate documentation is provided to the Associate Dean of Students for Multicultural Affairs, faculty members are not responsible for making decisions about accommodations. The Associate Dean recommends the accommodation(s) which will be most effective in assuring the student's access to academic programs. Students have the responsibility for requesting accommodations and services, and must provide documentation from an appropriate professional of conditions that may warrant academic accommodations. Before providing particular accommodations, the Associate Dean carefully considers the nature of the student's disability and the impact the disability may have on learning and performance. The

particular accommodations or support services provided are determined on an individual basis and types of services provided depend on the documented needs of the student. Services can include things such as special testing arrangements, readers, interpreters, note takers, certified real-time captioners (CART), FM assistive listening devices (FM ALD), taped textbooks, counseling, etc. All of the services provided are "support" services; students with disabilities are fully integrated into the Hamilton College community.

Adapted from: "Confidentiality & Disability Issues in Higher Education" (brochure) Association on Higher Education and Disability, 2001; "The Americans with Disabilities Act – the Law and its Impact on Postsecondary Education" (brochure) Association on Higher education and Disability, 2001; "What Faculty Members Should Know About the Americans with Disabilities Act – A guide for Working with Students who are Deaf and Hard of Hearing," The University of Tennessee Postsecondary Education Consortium Center for Deafness.

Q4. How will I know that a student in my class is supposed to have an accommodation?

A4. Each semester enrolled student records are reviewed and unless they inform the Associate Dean of Students for Multicultural Affairs that they do not need accommodations, a notice is provided for their professors. First-year students' requests for academic adjustments are ideally made well in advance of the start of each semester (by July 1st for fall enrollment and January 1st for spring enrollment). Note that a student who studies abroad/away must request that accommodation notices be provided to the disability services office of the institution where studies are taking place.

Occasionally a student may request that you provide accommodations, but you never received notification about the student. To protect yourself, the student, and Hamilton College, you should recommend that the student channel any requests through the office of the Associate Dean of Students for Multicultural Affairs.

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Q5. Do I have the right to know what type of disability a student has when he she asks for an accommodation(s)?

A5. No, a student does not have to provide the faculty member with particulars about his/her disability, but the student may choose to give details about his/her disability to you. Please maintain confidentiality concerning the disability-related information disclosed by the student. Students have a right to privacy in disability matters. Regarding the accommodation notices you

receive, please refrain from discussing students' disabilities and necessary accommodations in the presence of fellow students or others who do not have an educational need to know.

Within the Dean of Students Office, disability information is handled under guidelines of confidentiality similar to other medical information. ADA stipulates that disability related information should be collected and maintained on separate forms and kept in secure files with limited access. Thus, under this guideline, faculty would not have the right to demand access to the actual documentation of disability, including results or scores on psychological or medical tests, and dates or names of professionals providing such documentation. Additionally, the disclosure of unnecessary, specific disability-related information to those without a legally recognized need to know may have the unintended consequence of increasing Hamilton's and/or individual faculty member's/administrator's vulnerability to charges of harassment or retaliation.

If you have a question regarding an accommodation, you may contact the Associate Dean of Students for Multicultural Affairs at ext. 4021, who has access to students' documentation. Thus, verification of a student's disability, and if the academic adjustment requested is appropriate can be provided. The confidential nature of disability-related information has been an over-arching principle of nondiscrimination since the passage of Section 504 of the Rehabilitation Act of 1973.

Adapted from: Colgate University Office of Academic Support & Disability Services Web site,

(http://offices.colgate.edu/disabilities/faculty_faq.html); "Confidentiality & Disability Issues in Higher Education"

(brochure) Association on Higher Education and Disability, 2001; "The Americans with Disabilities Act – the Law and its

Impact on Postsecondary Education" (brochure) Association on Higher education and Disability, 2001; "What Faculty

Members Should Know About the Americans with Disabilities Act – A guide for Working with Students who are Deaf and

Hard of Hearing," The University of Tennessee Postsecondary Education Consortium Center for Deafness.

Q6. Will accommodations compromise the integrity of my class or academic program?

A6. When providing students with disabilities access to programs, courses, services, etc., institutions of higher education are not required to lower academic standards or compromise the integrity of the school or its programs. Students with disabilities are responsible for the same course content as all other students in their courses. Accommodations provide students with disabilities equal opportunity to access the information in classes and to perform academically. In general, once accommodations are provided, students with disabilities should be graded as you would any other student. There is no need to set different criteria for grading. Occasionally, however, a student may have extenuating circumstances that relate to a disability. When appropriate, these circumstances should be taken into account. Also, it is important to not grade students more harshly because they have had the opportunity for additional time for exams or other instructional modifications. If you have concerns that a requested accommodation may jeopardize the integrity of the course, please contact the Associate Dean of Students for Multicultural Affairs at ext. 4021.

Adapted from: "Confidentiality & Disability Issues in Higher Education" (brochure) Association on Higher Education and Disability, 2001; "The Americans with Disabilities Act – the Law and its Impact on Postsecondary Education" (brochure) Association on Higher Education and Disability, 2001; "What Faculty Members Should Know About the Americans with Disabilities Act – A guide for Working with Students who are Deaf and Hard of Hearing," The University of Tennessee Postsecondary Education Consortium Center for Deafness.

Q7. How do I encourage students with disabilities to discuss their needs with me early in the semester? I would rather not be approached right before an exam.

A7. There are various ways to encourage students to discuss their needs early. A direct approach is simply to invite students with accommodation needs to speak with you after class or during office hours. As stated previously, faculty members have found it very useful to include a statement on their syllabi advising students to see them early in the semester or before a certain date and reminding them of their responsibility to register with the Associate Dean of Students for Multicultural Affairs.

Despite our best efforts to encourage early communication, there may be students who wait until they are in crisis before identifying themselves as having a disability. It is not at all uncommon for a student to want to begin college without "accommodations" and to wait until right before an exam is given or after it is returned to discuss his/her needs. Please do not presume that the student is simply using the disability as an excuse for poor performance, but do discuss other factors that may be affecting the student's performance including those that may or may not relate to their disability.

There are also various things you can do to establish a climate of respect for students with disabilities--things which will likely help all of your students. For example, you can select a larger font or print size for syllabi, and other written material you distribute to students. You can highlight the academic resources available for your students, including your office hours, study space, tutoring services, review sessions, workbooks or study guides. Additionally, the Associate Dean of Students for Multicultural Affairs is available to help students improve upon their learning skills and strategies, and to refer students to resources both within and outside the Hamilton community.

Adapted from Colgate University Office of Academic Support & Disability Services Web site, (http://offices.colgate.edu/disabilities/faculty_faq.html).

Q8. How much extra time for an in-class exam or assignment is appropriate?

A8. Extended time rather than untimed exams are appropriate. Time and a half, the standard, to double time is most commonly prescribed. You will be notified by Allen Harrison as to how much time a student will need.

Adapted from Colgate University Office of Academic Support & Disability Services Web site,
(http://offices.colgate.edu/disabilities/faculty_faq.html).

Q9. Is it possible that a student in my class has a disability and that I am not made aware of it?

A9. You may have a student with a disability who has chosen not to inform anyone at Hamilton or a particular faculty member. By law, we cannot require a student to come forward. You may also have a student who is eligible for a particular accommodation in a class who may choose not to use it. There may also be a student in your class with a disability that has not yet been diagnosed. For instance, you may observe a discrepancy between different aspects of the student's performance. The student may make strong, articulate contributions to class discussion while the written work is filled with grammar and spelling errors. There are various possible explanations for such discrepancies, and a learning disability may be one of them. The Associate Dean of Students for Multicultural Affairs can provide students with information and guidance concerning assessment for learning disabilities.

Adapted from Colgate University Office of Academic Support & Disability Services Web site,
(http://offices.colgate.edu/disabilities/faculty_faq.html).

Examples of Academic Accommodations

<u>Disability</u>	<u>Accommodations</u>
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Low Vision

- Large print lab handouts, lab signs, and equipment labels
- TV monitor connected to microscope to enlarge images
- Class assignments made available in electronic format
- Computer equipped to enlarge screen characters and images
- Note takers
- Extended testing time
- Preferential seating

Blindness

- Audio-taped or Brailled lecture notes, handouts, and texts
- Raised-line drawings and tactile models of graphic materials
- Braille lab signs and equipment labels
- Adaptive lab equipment (e.g., talking thermometers and calculators, light probes, and tactile timers)
- Class assignments made available in electronic format

- Computer with optical character reader, voice output, Braille screen display and printer output
- Readers
- Extended testing time

Hearing Impairment

- Interpreter, “real-time” captioning, FM system, note taker
- Face turned toward student when speaking; use of visual aids
- Written assignments, lab instructions, demonstration summaries
- Visual warning system for lab emergencies
- Use of electronic mail for class and private discussions
- Note takers
- Preferential seating

Learning Disability

- Note takers and/or audio-taped class sessions
- Extended testing time; alternate (distraction reduced) testing arrangements
- Visual, aural, and tactile demonstrations, incorporated into instruction
- Computer with voice output, spellchecker, and grammar checker

Mobility Impairment/Physical Disability

- Note takers/lab assistants; group lab assignments
- Classrooms, labs, and field trips in accessible locations only
- Adjustable tables; lab equipment located within reach
- Class assignments made available in electronic format
- Computer equipped with special input device (e.g., voice input, adapted mouse, alternative keyboard)
- Note takers
- Extended testing time

Health Impairment

- Note takers
- Flexible attendance requirements and extra exam time
- Assignments made available in electronic format; use of email to facilitate communication

Psychological Disorder

- Reduced course load
- Allow for flexibility in the attendance requirements
- Note takers and/or audio-taped class sessions

Adapted from New Jersey Institute of Technology Counseling Center and Southern Connecticut State University Disability Resource Center Web sites: (<http://counseling.njit.edu> and <http://dro.southernct.edu/faculty/Psych.htm>).

Universal Design for Instruction

Using principles of universal design in your instruction can maximize learning for all students in your courses. Universal design means that you take steps to effectively teach to a diverse audience by designing instruction for learners with a broad range of abilities, disabilities, and other characteristics—students with a variety of reading abilities, learning styles, languages, cultures, etc. Also, remember that other student attributes will include a wide range of ethnic/racial backgrounds and representation from more than one gender. Universal design strategies are usually not difficult to employ. For instance, as you're designing your course you might think of alternate assignments for students—they might write a paper, they might give a presentation, or they might put together a portfolio to meet a class requirement. These options work well for students with a variety of learning styles and backgrounds, including those with disabilities.

For more information on Universal Design, go to the following Web sites:

- DO-IT Project, University of Washington: www.washington.edu/doit/resources/udesign.html
- Equal Access: Universal Design of Instruction: http://www.washington.edu/doit/Video/ea_udi.html
- FacultyWare, University of Connecticut: <http://www.facultyware.uconn.edu/home.cfm>

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