

The background is a dark grey chalkboard with various white chalk sketches. On the left, there's a large sketch of a microscope. Above it is a globe showing continents. Below the microscope are several books stacked together. In the bottom center, there's an open book with some illegible text. To the right of the open book are several mathematical symbols: a percentage sign, an exclamation point, and a less-than sign. The overall theme is education and science.

Instructors, Accessibility, and the ADA

“It’s about access, not success.”

What we will do today:

- Learn interesting facts regarding disability and accessibility
- Learn important fundamentals about accommodations and the process
- Answer your questions

Some Interesting Facts – College Students with Disabilities (SWD), 2015

Total number of students enrolled in Higher Ed

- ≈20 million

Total number of SWD in HE

- ≈2.2 million

Percent of SWD in HE

- 11% overall
- BUT >20% of veterans have a disability

Most common disabilities:

- ADD/ADHD
- Autism Spectrum Disorders

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Definitions

“Defining the challenge is the first step.”

- Some Wise Person

Definitions

What is a disability?

- According to the Americans with Disabilities Act, a disability is a **physical or mental impairment** that substantially **limits one or more** major life activities.
- Major life activities related to education include, but are not limited to: walking, sleeping, eating, learning, reading, writing, processing, hearing, etc.

What is an accommodation?

- An accommodation is an **adjustment** made to a policy and/or academic environment to ensure students with **temporary or permanent** disabilities have **equal access** to course material, information, activities, programs, housing, and other campus facilities.

Definitions

What is a service animal?

- A service animal is an animal that is **trained to work or perform active tasks** for an individual with a disability.
- If it is unclear whether an animal is a service animal, anyone can ask following questions: (1) is the service animal required because of a disability? and (2) what work or task the animal has been trained to perform? If you are unsure whether these questions have been answered satisfactorily, allow the person and animal to proceed, and contact Accessibility Services.

What is an emotional support or therapy animal?

- Support animals provide companionship, relieve loneliness, and sometimes help with depression, anxiety, and certain phobias, but **do not have special training** to perform tasks that assist people with disabilities. These animals are not limited to working with people with disabilities and are **not covered by federal laws protecting the use of service animals**. Therapy animals provide people with therapeutic contact, to improve their physical, social, emotional, and/or cognitive functioning.

Definitions

What is a reasonable accommodation?

- Reasonable accommodations are modifications of the learning environment that **eliminate, as much as possible, physical or instructional barriers to learning** encountered by the student with a disability. Think of reasonable accommodations as **anything getting the person with a disability to the same starting line** as a person without a disability. For example, a student using a wheelchair may require a desk that can be raised so they can use it comfortably.

What is an unreasonable accommodation?

- Unreasonable accommodations **alter requirements that are essential** to the program of instruction or to meet licensing prerequisites, **cause fundamental alteration** in the nature of the program, **impose undue financial or administrative** burden, or pose a **direct threat** to personal or public safety. (Undue hardship is hard to prove!)

Accommodations:

Examples of Reasonable Accommodations:

- Accessible Furniture in Classrooms
- Accessible Instructional Materials
- Accessible Videos and Audio
- Alternative Testing Services
- Audio or Video Recording Lectures
- Classroom Relocation for Access
- Disability Parking
- Disability Related Absence
- Foreign Language Culture Course Substitution
- Interpreting and Real-Time Captioning
- Notetaking Services
- Priority Registration
- Reduced Credit Load

What Are NOT Considered Accommodations in Higher Education:

- Individualized instruction
- Tutoring
- Personal care attendant
- Modifying curriculum
- Requiring an instructor to change a teaching style

Why do we have to do this?

1. It's the LAW –

Section 504 of the Rehabilitation Act of 1973 requires **recipients of federal funding** to provide individuals with disabilities equal access to all services. In 1990, the Americans with Disabilities Act (ADA) spelled out in greater detail the obligations not only of recipients of federal funds but also private businesses and public spaces. In 2008, Congress passed the ADA Amendments Act (ADAAA). The ADAAA reaffirms Congress's intention that the ADA applies to individuals with all types of disabilities including those suffering from long-term illnesses such as cancer or impairments to bodily systems.

But more importantly (IMHO):

2. It's just the RIGHT THING TO DO –

- It reinforces the human dignity and worth of people with disabilities (PWD)
- It recognizes the mental, physical and social challenges (barriers) that PWD face, and removes (or attempts to remove) those barriers
- It provides opportunities for otherwise capable individuals to achieve their dreams

What is the process for granting accommodations?

1. Students must request accessibility accommodations from the campus Accessibility Services (AS) Coordinator
2. AS Coordinator will meet with the student to review any documentation that the student presents and conduct an **interactive interview** to see what the student feels they need for access in each class
3. The student and the AS Coordinator agree on specific accommodations for each class
4. The AS Coordinator prepares a “Letter of Accommodations” for each class
5. The student receives three copies of the “Letter of Accommodations” for each class
6. The student is responsible for presenting the letters to each instructor for their signature. The instructor keeps one copy, the student keeps one copy, and the AS Coordinator receives a signed copy for the AS office file
7. **IMPORTANT**: When the letters are presented, **if you have questions** regarding the accommodations **or do not agree with the accommodations**, please do not discuss the issue with the student. Simply tell the student that you want to review the paperwork, hold on to it and call your campus AS Coordinator to discuss your concerns

What are my responsibilities as an instructor?

- Faculty members are primarily responsible to provide academic accommodations approved by the AS Office on the Letter of Accommodation and to work with the AS Coordinator and students to make reasonable accommodations in a timely manner
- Provide only the adjustments on the Letter of Accommodation unless it is an accommodation that you are willing to offer all students in the class
- Refer any student to AS who requests adjustments but does not present a Letter of Accommodation
- Ensure that instructional materials are accessible
- Maintain confidentiality. Faculty should not ask students about the nature of their disability or to provide medical documentation
- Implement best practices in teaching to reach a diversity of learners
- Faculty should not lower course expectations or fundamentally alter the nature of the course at the request of a student with a disability. If a student makes such a request, Faculty should consult with the AS Office

Determining “Essential Requirements” for a course

“Essential requirements” are the **core learning outcomes** (including skills and knowledge) all students must demonstrate, with or without using accommodations, which are part of a larger interconnected curriculum related to a program or degree.

Essential Requirements:

- ✓ Clearly articulate the overall **purpose** of the course/program.
- ✓ Identify required **mastery** of specific skills, knowledge, principles, and concepts.
- ✓ Convey the framework used to set academic and program **standards**.
- ✓ **Ensure a fair deliberation** when determining if a requested accommodation would be a fundamental alternation.

The difference between essential and non-essential requirements is similar to the difference between “essential” and “preferred” skills listed in job descriptions. An employer may want to see both sets of skills, but only the essential skills are an absolute requirement of employment.

Determining “Essential Requirements” for a course

In determining the essential requirements, Instructors should consider the following:

For Courses -

- ❖ What is the purpose of the course?
- ❖ What are the prerequisites or other background knowledge needed?
- ❖ What core outcomes/expectations are stated on the syllabus and required of all students?
 - What specific knowledge, principles, skills or concepts must be mastered and demonstrated?
- ❖ **What aspects/requirements constitute a significant component of the learning process?**
 - Could an alternative achieve the same result?
- ❖ **What are the essential methods of instruction which are fundamental to the nature of the course?**
 - Are any methods of instruction non-negotiable? **WHY?** Do other sections use other methods of instruction?

For Programs -

- ❖ **What skills or competencies will be needed within the field after graduation?**
- ❖ **What are the requirements for licensing or professional accreditation?**

Determining “Essential Requirements” for a course

Some scenarios:

Scenario #1

A student with a psychological disorder asks to give a required oral presentation in a sociology course to the instructor in private rather than to the entire class. The accommodation is approved since the essential requirement remains, which is the presentation itself.

This same student requests the identical accommodation in an oral communication class where giving speeches is required. The accommodation in this instance is denied because the fundamental requirement of delivering a speech publicly is essential to the course’s objective.

Scenario #2

A student with a learning disability is taking a writing course and asks to use a computer and spellchecker for the in-class final exam. This accommodation is approved because the instructor’s grading rubric does not focus on accurate spelling as the most important element in the essay.

Determining “Essential Requirements” for a course

Scenario #3

A medical student who has the use of only one hand requests a change in the procedure to start an IV. This accommodation is granted because the student is able to demonstrate proficiency in starting the IV as required by law and/or licensing requirements although he is using a different procedure to achieve this outcome.

How may we help you?

The Accessibility Services Coordinator serves the faculty and students equally. We assist students once they are admitted to Howard College/SWCD, facilitate their requests and approve services. For faculty we are your resource and partner in ensuring the academic accommodations are in place and effective.

If you have questions, problems establishing an accommodation, or need help on where to start, Accessibility Services is here for you. We provide a variety of services for faculty delivering instruction, including but not limited to:

- Troubleshooting/assisting with establishing classroom accommodations
- Facilitation of extended time and low-stimuli testing environments
- Providing consultation on working with various types of disabilities
- Assist faculty in ensuring they have accessible course materials
- Providing Faculty training & educational resources

Your Accessibility Services Coordinators:

Big Spring and Lamesa sites:

Mary Ann Bara

(432) 264-5118

mbara@howardcollege.edu

San Angelo site:

Luis Martinez

(325) 481-8300 ext. 3254

lmartinez@howardcollege.edu

(Luis is also our District Director of Veteran Affairs)

SWCD/District:

Jim Walterhouse

(432) 242-4290

jwalterhouse@howardcollege.edu

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Any Questions?

Thank you for your time!