

# Accommodating Students with Disabilities

The [Americans with Disabilities Act](#) (ADA) of 1990, which became effective January 26, 1992, requires that individuals with disabilities be afforded equal opportunity in the areas of public services and programs, employment, transportation, and communications. Under the ADA, a disability is defined as a physical or mental impairment that substantially limits one or more major life activities.

Section 504 of the Rehabilitation Act of 1973 and the ADA have greatly facilitated the expansion of services for individuals with disabilities in postsecondary educational settings. Section 504 provides that “no otherwise qualified handicapped individual in the United States ... shall solely by reason of his/her handicap be excluded in the participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

The ADA, which uses the term “disability” instead of “handicap,” extends civil rights protection to people with disabilities. Neither Section 504 nor the ADA are meant to protect individuals with disabilities from the consequences of their behavior or to make available to them programs and services for which they are not otherwise qualified. These legislative acts are meant to aid in the removal of physical, attitudinal, and programmatic barriers to services and education for individuals with disabilities.

## Documentation

To receive services, students must submit appropriate documentation, completed within the past five years, to the office of Disability Support Services. The documentation may include a psycho-educational evaluation, including an Adult Intelligence Scale test (WAIS III or IV) and an achievement test (Woodcock-Johnson III or the WIAT III). A medical diagnosis as well as the psycho-educational evaluation may also be submitted. In cases where documentation is incomplete, the student may be asked to provide additional information.

The submission of documentation does not activate services or accommodations. Students are encouraged to submit all documentation at least 30 days in advance and should make an appointment at the beginning of each semester to discuss their needs. Faculty members will then be notified of the appropriate accommodations via an “Individual Accommodation Plan”.

Students with disabilities are protected by privacy and confidentiality policies. Specific information regarding the type of disability will not be given to any faculty member unless specifically requested by the student.

## Faculty Rights and Responsibilities

Faculty members play a critical role in helping students with disabilities succeed in college. If you are unsure about how to approach a situation, it is best to seek counsel from your dean or director or the Office of Disability Support Services.

*Faculty members may:*

- encourage students to self-disclose their disability or disabilities in an appropriate and confidential time and place.
- check on the legitimacy of a student's claim of a disability by contacting DSS.
- make suggestions for appropriate academic accommodations.
- help students whom they suspect have a learning disability by suggesting that the student seek support from the appropriate campus service providers.

*Faculty members may not:*

- see a student's documentation of a disability unless given written consent by the student. Likewise, faculty members cannot request information about the student's disability from the campus service providers.
- set a limit for the number or amount of accommodations provided during a semester—or the number of students with disabilities in his or her classes.
- allow the right to academic freedom to impact the types of accommodations permitted in the classroom.
- refuse a request for an academic accommodation. If an issue arises, such as a safety issue, the faculty member should contact DSS to discuss the request for accommodation.
- ask a student if they have a learning disability if the student is experiencing difficulty in class. The faculty member can suggest that the student seek support services.

*Faculty members are responsible for:*

- maintaining students' confidentiality at all times. Do not single out students in class or mention any test accommodation to them in front of their peers. These actions breach confidentiality.
- providing for the academic accommodation(s) requested.
- maintaining the integrity of academic standards in the course.

Faculty members are strongly encouraged to include a student with disabilities statement in the course syllabus and make the class aware of it at the beginning of each semester. This will help make sure that students requesting accommodations for a disability do so early, and go through the DSS office.