

Reasonable Accommodations in Colleges and Universities

Will begin at 2:00pm EDT

Audio and Visual are provided through the on-line webinar system. This session is closed captioned. Individuals may also listen via telephone by dialing 1-857-232-0476, Access Code: 368564.



1

About Your Hosts...

- TransCen, Inc.
 - Mission Statement: Improving lives of people with disabilities through meaningful work and community inclusion
- Mid-Atlantic ADA Center, a project of TransCen, Inc.
 - Funded by National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR), Administration for Community Living, U.S. Department of Health and Human Services



2

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3



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- This webinar is being recorded and can be accessed within a few weeks
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10



Requests for Certificate of Participation

- Please consult the reminder email you received about this session for instructions on obtaining a certificate of participation for this webinar.
- **You will need to listen for the continuing education code which will be announced at the conclusion of this session.**
- Requests for certificate of participation must be received no later than **12 pm EDT on Friday August, 25th.**

11



Reasonable Accommodations in Colleges and Universities

Tessa DiPerri, University of Maryland
 Crystal Tenan, Towson State University



12

About Us – Tessa DiPerri

Tessa DiPerri, is a higher educational professional with experience in student-centered disability resource and support. Her unique educational background in Communication Disorders, Deaf Studies and Student Affairs in Higher Education enable her to incorporate knowledge of student development theories within her work with various types of disabilities and challenges associated with student prognosis. Her expertise lies in educating higher education stakeholders on the interactive process used to establish accommodations.



13



About Us – Crystal Tenan

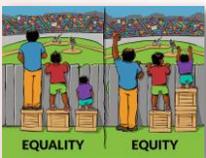
Crystal Tenan is the Deputy ADA Coordinator for Towson University. She earned her Bachelors of Science and Masters of Science in Education from Baylor University and a Masters of Science in Applied Information Technology from Towson University. Her areas of expertise include digital accessibility, assistive technology, student accommodations and campus accessibility. She is dedicated to the mission of making the world a more accessible place.



14



Purpose of Academic Accommodations



- ✓ Provide equal access and opportunity for students to benefit from all educational programs
- ✓ Accommodations do not create an unfair advantage for students.
 - ✓ They equal the playing field
- ✓ Accommodations do not fundamentally alter programs
 - ✓ Example: Writing answers directly on an exam compared to using a Scantron answer sheet.

15



Association on Higher Education and Disability (AHEAD)

- AHEAD is a professional membership organization for individuals involved in the development of policy and in the provision of quality services to meet the needs of persons with disabilities involved in all areas of higher education.
- Provides sound and respected guidance
- Other resources
 - Legal Database
 - Site visits for guidance & feedback
 - Local AHEAD Chapters

16



AHEAD Documentation Guidance



- Updated in 2012 to reflect the changes within the ADA Amendments Act
- Each institution interprets/ views documentation differently
- Everything on a case-by-case basis

17



AHEAD Guidance – Self Report

- Historically this was not valued as much
- Do not discount the information obtained within the personal interview
- Utilize counseling techniques to glean information
 - Open-ended questions, probing questions etc.
- Importance of ensuring the student is heard within the intake
 - Consider the information shared by family members, guardians or other third parties present within the personal interview setting.
- How does their submitted documentation connect with the personal interview?

18



AHEAD Guidance – Self Report Cont.

• "The student is a vital source of information regarding how he or she may be "limited by impairment." xi A student's narrative of his or her experience of disability, barriers, and effective and ineffective accommodations is an important tool which, when structured by interview or questionnaire and interpreted, may be sufficient for establishing disability and a need for accommodation." - AHEAD Guidance

• Source: [AHEAD Website](#)

19



AHEAD Guidance – Observation & Interaction

- Student's body language and perception of themselves
- Does the student have a physical disability, use a mobility aid or animal?
- If you have access to academic transcripts, how is their progression? Is there any connection to their self-report (grades match reported difficulty)?
- Accessibility and Disability Application Information (i.e. questionnaire paperwork)
 - How can this add to your working knowledge of the student?

20



AHEAD Guidance – Observation & interaction Cont.

• "The impressions and conclusions formed by higher education disability professionals during interviews and conversations with students or in evaluating the effectiveness of previously implemented or provisional accommodations are important forms of documentation. Experienced disability professionals should feel comfortable using their observations of students' language, performance, and strategies as an appropriate tool in validating student narrative and self-report." - AHEAD Guidance

• Source: [AHEAD Website](#)

21



AHEAD Guidance – External or 3rd Parties

- Tangible paperwork that is traditionally thought of as documentation
- Nexus between the accommodation request & documentation
- Does the submitted information show continued use of accommodations
- Who has completed this documentation and are they qualified to do so
- When is it appropriate to ask for additional information

22



AHEAD Guidance – External or 3rd Parties Cont.

- "Documentation from external sources may include educational or medical records, reports and assessments created by health care providers, school psychologists, teachers, or the educational system. This information is inclusive of documents that reflect education and accommodation history, such as Individual Education Program (IEP), Summary Of Performance (SOP), and teacher observations. xii External documentation will vary in its relevance and value depending on the original context, credentials of the evaluator, the level of detail provided, and the comprehensiveness of the narrative. However, all forms of documentation are meaningful and should be mined for pertinent information." - AHEAD Guidance

• Source: [AHEAD Website](#)

23



Putting Knowledge into Practice

24



Reasonable Process



- We talk about reasonableness of a requested accommodation, but we also should look at the process that the student goes through to request accommodations.
- Is what we are asking them to do unreasonable or unnecessarily burdensome?
- Are we creating roadblocks and hurdles for our students?

25



Intake Meeting - Process

- The process should be straightforward & easy for the student to understand
- Is documentation necessary?
 - Does the student have an obvious disability?
- When can you have the meeting
 - Anytime, but accommodations are not retro active
 - Still need reasonable amount of time to implement accommodations
- Can parents/guardians/others be involved?

26



Documentation Review

- **Refer to the AHEAD guidance**
 - Listen to the student's self-report
 - Ask guided academic questions when needed
 - Observations
 - If they need to write for you, is this a difficult task for them, is their spelling correct
 - 3rd party documentation
- **Current and Relevant**
 - Disability documentation should be current and relevant but not necessarily "recent"
- **Commonsense standard**
 - What would a reasonable person conclude?
- **Non-burdensome process**

27



Provisional Accommodations

- Is it reasonable to provide accommodations without documentation?
- Refer to the student report and your observations
- Is there a connection between their report, your observations & what they are requesting?
- Gives the student time to obtain documentation
- Work out with the student a timeframe for them to provide new or updated documentation
- Scenario:
 - A student began experiencing increased anxiety while in college. Their anxiety symptoms are impacting all major life activities including their classes. They have requested to take their exams in your testing center. Would it be reasonable to grant this provisional accommodation?

28



Temporary Accommodations

- Very common after school breaks, mid-terms & finals
- Usually 6 months or less
- Medical courtesy notifications to professors
 - Not usually out of DSS
 - Common temporary accommodations
 - Paratransit van, note taker
- Things to consider
 - related to documentation vs. temp. Physical Disability
- Sometimes not reasonable to accommodate in the timeframe given
 - Ex. Accommodation requested 1 hour before final exam
 - Still see if it is possible to accommodate
- Student may be new to accommodations and not know what they may need
 - Ex. Spring Break – student breaks his arm rock climbing

29



Accommodation Denial

- Reasons for denial
 - Request is not reasonable
 - Fundamental alteration
 - Need more documentation
 - There is no nexus between disability and accommodation request
 - University policies and procedures still apply (behavior accommodation)
- Alternative, but equally effective accommodations is approved
- Best Practice: provide the student with written notice of the denial and reason for denial

30



Ineffective Accommodations

- You can always revisit accommodations
- Disability may change
 - Multiple Sclerosis, Bipolar disorder, Cancer, etc.
- Disability may impact their academics differently over time
 - Academic environment & rigor changes
- Each class is structured differently
 - Lab vs Lecture
 - Math assignments vs. Writing assignments

31



Scenarios

32



Case Study - Scenario #1

A student has recently transferred to your college from a different university. They have brought documentation that confirms a diagnosis of ADHD and their accommodations memo from their previous institution. The student is requesting unlimited time for assignments and tests as an accommodation.

They report a history of using this accommodation at their other school, although it is not listed on their submitted memo. They additionally express a belief, unlimited time is desperately needed because they take longer to complete tasks compared to other students as a result of ADHD symptoms. The student is concerned their grades will be negatively impacted without this accommodation.

Question: Is this request reasonable? What steps would you take to accommodate this student?

33



Our Response – Scenario #1

- Accommodations are different at each school
- Fundamental alteration to a course (is the time frame essential to the course)
- Typically unlimited time is not an option
- Assignment by assignment/ semester by semester
- May not need extra time for some classes, may need 1.5 or 2x for others
- Take home exam
- Group assignments
- What is their major and is this an essential part of that
- Creative about your accommodations – may need assignments in advance, time management skills, study skills, academic coaching/ executive functioning coaching
- What is your course load? May need to reduce or change which classes you are in during a semester
- Look at the cause of why the student needs more time

34



Case Study - Scenario #2

An incoming student has reported that they have severe anxiety and they are nervous to start college. They have brought in documentation of their anxiety and requested to bring their poodle, Pepper, to class and housing with them. The student reported that after losing her father her anxiety has worsened and she has a difficult time leaving her home without Pepper.

The student has a very difficult time communicating with others and says that Pepper helps her to feel more comfortable. The student has a history of self-isolating and is nervous about sharing a dorm room with a stranger.

Question: How would you respond to this request?

35



Our Response – Scenario #2

- ESA is covered under Fair Housing compared to ADA
- Can still be a reasonable accommodation request
- If your campus has residence halls that are "pet friendly" you can't limit the student to only those residence halls
- Must still abide by local and state laws
- Can't be limited to the person's bedroom, rather open common areas as long as they are with their person
- Can be a variety of different animals but still must be reasonable
- Can ask to speak with provider
- Have open lines of communication with Housing
- Classroom – talk with the professors to see if reasonable (chemistry lab) and talk the student to see if a different accommodation would be reasonable

36



Case Study - Scenario #3

A student is requesting excused absences from class as an accommodation. Midterms have just ended and the student has just learned they have to be on dialysis for the remainder of the year. The student is unsure how many classes they will need to miss and does not want to fail his classes because of his unexcused absences. The student is enrolled in a history lecture class, biology science lab, a geometry class and an introduction to swimming class. The student has already missed one third of their classes this semester because of medical reasons. The school has a mandatory class attendance policy that requires students must attend 75% of classes or they automatically fail.

Question: What other information do you need? How would you respond to the student's request?

37



Our Response – Scenario #3

- School's mandatory attendance may not be applicable – reasonable modification
- Would have to understand the educational requirements for each class
- Alternative options for completion --taking an incomplete or if possible changing to an online class section
- What is the university policy related to medical absences/ retroactive withdrawals
- It's ultimately the student's decision to drop/withdraw or not (how were they doing academically before this)
- Work with the faculty members to ensure the student can still meet the expectations of the course with an accommodation.

38



Case Study - Scenario #4

In the beginning of October, a junior, who is registered with your office because their parents made them their freshmen year, failed his first round of tests in his math class because he was absent and turned in his work late. He has come to your office reporting that he has not been able to get out of bed because of his depression and that he has always had a hard time in math and dreads going to class. You review his documentation and notice that he has a learning disability in addition to a mental health disability. He has requested that the professor let him retake his exam with extra time and the use of a calculator and that the professor tutor him one on one outside of office hours.

Question: Is what the student is requesting reasonable? If not, what would be reasonable alternative accommodations?

39



Our Response – Scenario #4

- Accommodations are not retroactive but can start anytime in the semester and go from that point forward
- Not reasonable to ask a professor to tutor a student one on one
- The student can use office hours, university tutoring (if available)
- Accommodations are not an excuse to not do your work and not go to class
- Alternative accommodations would be reasonable
- Possible withdrawal from some classes this semester

40



Case Study - Scenario #5

A student within a nursing program is completing her clinical rounds in a local hospital. This is the last class the student needs to graduate. The student's Multiple Sclerosis has worsened and the student now experience tremors. They have provided medical documentation stating they are not able to lift more than 20 pounds and that they easily fatigue. The student has requested an accommodation of an aid. The student requests that their aid help preform physical tasks within the clinical rounds.

The student expressed a desire to become a nurse within an elementary school setting. The student explained their choice because this setting would not require a need to draw blood, change bed pans or transfer patients which is currently required within her clinical setting.

Question: What challenges are important to understand when accommodating students in a clinical setting?

41



Our Response – Scenario #5

- Essential functions of the program
- The department should describe the essential functions and provide the professional standards
- Should be very objective
- Work closely with the department and clinical round location to see what is reasonable
- Address the request to have an aid, what tasks would this aid be preforming and is that reasonable in this field
- Must check the physical requirements within the professional standards and clinic requirements
- Certain professions have stricter requirements (ex. Firefighter)

42



Questions & Further Discussion



43



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44