

ADA COMPLIANCE IN HIGHER EDUCATION

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University of West Florida

- ▶ Objectives

- ▶ Legal mandates

- ▶ Reasonable accommodations

- ▶ Faculty & staff responsibilities

- ▶ Other updates

- ▶ Service animals

- ▶ Sign language interpreters

- ▶ Universal design of instruction

- ▶ Captioning



LEGAL MANDATES

Americans with Disabilities Act as Amended in 2008

The Americans with Disabilities Act as Amended in 2008 is a federal law that prohibits discrimination against people with disabilities and requires equal access to public facilities, programs, activities, and services. Public colleges and universities are required to provide auxiliary aids and services to qualified students with disabilities.

Section 504 of the Rehabilitation Act of 1973

Section 504 is a federal law that protects the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education (ED). Section 504 provides: "No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance"

Section 508 of the Rehabilitation Act of 1973


Section 508 requires that Federal agencies' electronic and information technology are accessible to people with disabilities, including students and members of the public.

DISABILITY LAWS IN HIGHER EDUCATION

- ▶ Help level the playing field to ensure students are able to demonstrate what they learned rather than the effects of their disability
- ▶ Do not exempt students from meeting the essential requirements of the course
- ▶ Student must be otherwise qualified - meet academic and technical standards of programs
- ▶ Does not require reduction of academic standards or course requirements
- ▶ Failure to meet legal obligations can have significant implications for the University and the people involved in providing educational services

DISABILITY LAWS IN HIGHER EDUCATION

▶ Definition of Disability

- ▶ Is any person who has a physical or mental impairment that substantially limits one or more major life activities,
 - ▶ Has a record of such impairment, or is
 - ▶ Regarded as having such an impairment
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WHO IS RESPONSIBLE?

- ▶ Academic departments and individual faculty/staff members are responsible for ensuring their programs and course content are accessible to all students.
- ▶ The Student Disability Resource Center (SDRC) serves as the University's administrative arm of the ADA and 504 to help ensure students with documented disabilities have equal access to educational opportunities
 - ▶ evaluates student's eligibility for reasonable accommodations
 - ▶ makes recommendations to implement based on documented needs
 - ▶ provides resources and support to faculty/staff
- ▶ **What happens if I don't provide recommended accommodations?**

WHO IS RESPONSIBLE?

- ▶ Students with disabilities
 - ▶ Not required to register with any office on campus
 - ▶ If requesting accommodations because of a disability, must self disclose
 - ▶ Official form of self-disclosure is by registering with the SDRC.
- ▶ Faculty/Staff
 - ▶ Typically first to know when a student with a disability is in class
 - ▶ Faculty should include this recommended statement in their course syllabus and review it during the first class meeting. Letting your students know about this process at the beginning of the semester will alleviate any expectations for retroactive accommodations.


RECOMMENDED SYLLABUS STATEMENT

- ▶ The University of West Florida supports an inclusive learning environment for all students. If there are aspects of the instruction or design of this course that hinder your full participation, reasonable accommodations can be arranged. Prior to receiving accommodations, you must register with the Student Disability Resource Center. Appropriate academic accommodations will be determined based on the documented needs of the student. For information regarding the registration process, email sdrc@uwf.edu or call 850.474.2387.
- ▶ CUTLA website


WHEN A STUDENT REQUESTS ACCOMMODATIONS FOR A DISABILITY

- ▶ Refer the student to SDRC.
 - ▶ It is ultimately better for all parties involved to refer the student to the SDRC.
 - ▶ Student must self identify & register with SDRC
 - ▶ Submit an enrollment form; proper documentation; meet with staff
- ▶ Student must submit *the Semester Accommodation Request Form* each term
 - ▶ SDRC will only notify instructors indicated on the form
 - ▶ Instructors are responsible for reviewing the notification
 - ▶ Students are responsible for meeting with faculty to discuss accommodation
- ▶ SDRC is available to help facilitate the accommodations outlined in the notification letter


REASONABLE ACCOMMODATIONS

- ▶ A reasonable accommodation - an adjustment to procedure, practice or the environment; the provision of tools, technology, or services that partially mitigate the impact of a disability allowing the student to participate in an integrated manner
 - ▶ An accommodation is not reasonable if it causes
 - ▶ Direct threat to the health and safety of others
 - ▶ A substantial change in an essential element of curriculum/program
 - ▶ A substantial alteration in the manner in which services are provided
 - ▶ Undue financial or administrative burden
 - ▶ Require the provision of “personal services”
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FACULTY AND STAFF RESPONSIBILITIES

- ▶ Provide recommended accommodations
 - ▶ Contact SDRC immediately to discuss feasible options if the approved accommodation undermines the essential requirements of the course or alter the nature of the course
 - ▶ **Take action or respond to SDRC – don't ignore**
 - ▶ **What if I don't want to provide the recommended accommodations**
 - ▶ Do not provide accommodations without communication from the SDRC
 - ▶ Refrain from making any statement or implications that the student is any different from the general student population.
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GENERAL ACCOMMODATION PROCEDURES

- ▶ For testing accommodations faculty can accommodate the student in their area/ department if resources are available. SDRC available to assist.
 - ▶ For note taking service, SDRC will notify faculty of this accommodation. SDRC, student and faculty will coordinate efforts to identify a note taker for the student.
 - ▶ SDRC is available to help with other accommodations such as
 - ▶ Enlarge texts
 - ▶ Technology (asst. listening devices, etc.)
 - ▶ Read/Scribe for exams and class related activities
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OTHER SDRC UPDATES




SERVICE ANIMAL VS COMFORT ANIMALS



Service animals are specifically trained to assist people with disabilities in the activities of daily living:

Any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. The work or tasks performed by a service animal must be directly related to the handler's disability.

The crime-deterrent effect of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks.

- ▶ Two questions you can ask if the animal is a dog or miniature horse:
 - ▶ Is the dog/horse a service animal required because of a disability?
 - ▶ What work or task has the dog/horse been trained to perform?
 - ▶ Comfort Animal – must be an approved accommodation, register with SDRC
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- ▶ Sign Language Interpreters
 - ▶ Class cancellation
 - ▶ Exam schedules
 - ▶ Outside optional activities
- ▶ Universal Design of Instruction
 - ▶ Built in additional time
 - ▶ Captioning
 - ▶ Alt formats (word, pdf, transcripts, etc.)



We encourage faculty to contact us with any questions or concerns.
It is best for all parties involved to refer all disability related requests to the SDRC.
Accommodating a student without consulting with SDRC can have serious implications should you decide to stop those accommodations at any point.

Student Disability Resource Center (SDRC)
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