

# The Program For Students with Disabilities Auburn University

University Senate

# In the News

## **Dear Colleague Letter sent to college and university presidents.**

As officials of the agencies charged with enforcement and interpretation of the ADA and Section 504, we ask that you take steps to ensure that your college or university refrains from requiring the use of any electronic book reader, or other similar technology, in a teaching or classroom environment as long as the device remains inaccessible to individuals who are blind or have low vision.

**It is unacceptable for universities to use emerging technology without insisting that this technology be accessible to all students.**

Thomas E. Perez

Assistant Attorney General  
Civil Rights Division  
U.S. Department of Justice

# News Continued...

## **Complaint Against Penn State on Technology Access for the Blind**

The National Federation for the Blind has filed a complaint with the Education Department's Office for Civil Rights charging that technology-based services at Pennsylvania State University lack access for blind students,

# Postsecondary Compliance

- The Rehabilitation Act of 1973, Section 504
- The Americans with Disabilities Act (ADA) 1990
- ADA Amendments 2008
- Department of Justice Regulations
- Office of Civil Rights and Department of Justice Regulations and Rulings
- ADA Accessibility Guidelines or "ADAAG."  
ADAAG contains requirements for new construction and alterations

# Section 504

**“No otherwise qualified individual with disabilities** in the United States....Shall, solely by reason of his/her 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.”

According to Section 504 **students with disabilities in higher education must have equal and meaningful access to** postsecondary education.

# ADA

Under the Americans with Disabilities Act of 1990 (ADA) a disability is defined as a "mental or physical impairment which substantially limits one or more major life activities."

# ADA Amendments

(Effective January 1, 2009)

An individual is covered under the ADA if he or she has a disability that “substantially limits” a major life activity.

Major life activities include, but are not limited to, caring for oneself, performing manual task, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, **learning**, reading, **concentrating**, **thinking**, communicating, and working.

# Office of Civil Rights Statements

Appropriate academic adjustment must be determined based on the disability and the individual needs of the student with disability.

Academic adjustments may include auxiliary aids and modifications to academic requirements as are necessary to ensure equal educational opportunity.

Examples of such adjustments are arranging for;

- priority registration
- reducing a course load
- **substituting one course for another**
- **note takers**
- **recording devices**
- sign language interpreters
- **extended time for testing**
- TTY in your dorm room
- equipping school computers with screen-reading
- voice recognition or other adaptive software or hardware.



# Statistics

- Mental Health – 186
- Health – 172
- Physical – 88
- Vision – 23
- Deaf or Hard of Hearing – 31
- ADHD – 288
- Learning Disabilities – 280
- Speech – 5
- Multiple Disabilities - 303

# Steps to Eligibility

- Accepted to the University: Otherwise qualified student
- Application for disability support services
- Submission of required documentation
- Determination of eligibility
- Provision of accommodations and services

# Available Technology

- Text-to-Speech
- Kurzweil 1000/3000
- FM systems
- Remote Captioning
- Braille devices, Screen magnifiers, CCTV units (close-circuit TV), E-Text, Tactile Image
- Voice Recognition Software
- Audible Math

# Faculty

# Services

- Test Administrations/ Proctoring (1,203 Exams 2010)
- Captioning of Online Videos
- Assistive Technology Training and Evaluation
- Alternative Formats – E-Text, Audible Math, Accessible PDF's, Accessible PowerPoints
- Web Accessibility Analysis
- JAUNT (Door-to-Door Delivery)
- Organized Sports and Recreation

# Syllabus Statement

- “Students who need accommodations are asked to arrange a meeting during office hours the first week of classes, or as soon as possible if accommodations are needed immediately. If you have a conflict with my office hours, an alternate time can be arranged. To set up this meeting, please contact me by e-mail. If you have not established accommodations through the PSD office, but need accommodations, make an appointment with The Program for Students with Disabilities, 1228 Haley Center, 844-2096 (V/TT).”

# Student Meeting

- Meet with the student in a private location
- Discuss the accommodations requested and develop a mutually agreeable plan with the student regarding the facilitation of those accommodations
- After meeting with the student, record meeting in the new online accommodation system in AUAccess
- No responsibility to provide accommodation to students not registered with PSD

# Things to Avoid

- Asking the student to disclose the nature of his/her disability.
- Suggesting to a student that they have a particular disability, in public or private.
- Deny a student's accommodation request.
  - An accommodation should not be denied without due process; therefore, all cases will be reviewed individually.
- Tell the student that he/she requested the accommodations too late in the semester.



# Medical Resignations

- Emails will be sent to faculty to obtain relevant information; these emails will differ based on the nature of the request (before midterm, after midterm, retroactive)
- All emails will ask for the last day the student attended class; this date is very important as it helps establish the effective date of the resignation and is compared to the dates provided in the medical documentation
- Faculty are asked to respond as soon as possible, even if the records or information requested are no longer available

# Medical R/W Statistics

## **524 requests in 2010.**

- \* 192 Medical Resignations were approved and processed
- \* 31 Medical Withdrawals were approved and processed
- \* 63 requests are still pending approval and processing
- \* 238 requests were not approved or processed.

## **Of the 238 requests that were not approved:**

- \* 60 were due to Insufficient medical documentation or medical reason
- \* 32 were Personal and were referred to the student's associate dean
- \* 83 were closed (meaning the student did not follow up or submit documentation)
- \* 26 were referred to other resources (most likely for an Incomplete, make-up work, or GAP)
- \* 37 were unnecessary (requests for medical resignations before 15th class day or withdrawals before midterm).

# “Possibility of Medical Emergency”

- This notation on a student’s accommodation list also prompts instructor/student dialogue with the phrase: “*see student for details*”.
- Mobility, visual, or other impairments may involve a specific evacuation plan.
- The Faculty Handbook offers guidelines for responding to some medical conditions.
- **If a student is unresponsive, requests assistance, or appears to be in distress, call 911.**