

Section III: Faculty Responsibilities and Rights

In a recent U.S. study, 428,280 postsecondary undergraduate students identified themselves as having disabilities, representing 6% of the student body. The types of disabilities reported by these students were:

Learning disabilities	45.7%
Mobility or orthopedic impairments	13.9%
Health impairments	11.6%
Mental illness or emotional disturbance	7.8%
Hearing impairments	5.6%
Blindness and visual impairments	4.4%
Speech or language impairments	0.9%
Other impairments	9.1%

Source: An Institutional Perspective on Students with Disabilities in Postsecondary Education, National Center for Educational Statistics, Postsecondary Education Quick Information System, August 1999

Since the time of this report, the numbers of students seeking postsecondary education have been increasing. In particular, the numbers of students with “invisible” or non-visible disabilities, such as those diagnosed as having a learning disability, psychiatric or traumatic brain injury have been on the rise. How to provide accommodations with this wide variety of disabilities? The ideal solution is to work toward a classroom that incorporates Universal Design (see Universal Design in this section).

First Things First

When faculty are first approached by a student claiming to have a disability, and requesting accommodations, faculty need to keep the following points in mind:

- 1) Any student claiming to have a disability, and desiring classroom accommodations must first have appropriate medical documentation on file with the Disability Support Services (DSS) office.
- 2) Faculty have a right to ask the student if the student has a complete file with DSS. If not, then faculty should not continue discussion of accommodations until the student has been seen by DSS.
- 3) Faculty and non-DSS personnel do not have a right to know the exact nature of a student’s disability and should refrain from requesting from the student, or DSS, medical documentation verifying the need for reasonable accommodations.
- 4) Faculty are not obligated to provide a student reasonable accommodations unless a student presents a Faculty Accommodation Form (FAF) signed by the DSS office. This form verifies that the student has met with a DSS professional, has provided the appropriate documentations, and is entitled to the accommodations as listed on the FAF.

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- 5) Faculty have the right to contact DSS with any questions or concerns related to the DSS accommodation recommendations.
- 6) Reasonable accommodations are not retroactive, and need only be provided as of the date the FAF is provided. Faculty do not need to provide students opportunity to retake tests or assignments previous to the time the FAF was provided.

Universal Design

Whenever possible, faculty are encouraged to utilize the principles of universal design, when developing their course outlines and requirements. In terms of learning, universal design means the design of instructional materials and activities that makes the learning goals achievable by individuals with wide differences in their abilities to see, hear, speak, move, read, write, understand English, attend, organize, engage, and remember. Universal design for learning is achieved by means of flexible curricular materials and activities that provide alternatives for students with differing abilities. These alternatives are built into the instructional design and operating systems of educational materials—they are not added on after-the-fact. (*Research Connections*, Number 5, Fall 1999, p. 2, Council for Exceptional Children). See also definition of universal design, p. (?) of this handbook.

The University of Washington provides many suggestions for designing a classroom with universal designs. Their Faculty Room website <http://www.washington.edu/doi/Faculty/Strategies/Universal/> provides many suggestions and ideas. What follows is from their website.

When designing classroom instruction or a distance learning class, strive to create a learning environment that allows all students, including a person who happens to have a characteristic that is termed "disability," to access the content of the course and fully participate in class activities. Universal design principles can apply to lectures, classroom discussions, group work, handouts, Web-based instruction, fieldwork, and other academic activities.

Below are examples of instructional methods that employ principles of universal design. Applying these strategies can make your course content accessible to people with a wide range of abilities and disabilities, ethnic backgrounds, language skills, and learning styles.

1. *Inclusiveness. Create a classroom environment that respects and values diversity. Put a statement on your syllabus inviting students to meet with you to discuss disability-related accommodations and other special learning needs. Avoid segregating or stigmatizing any student. Respect the privacy of all students.*
2. *Physical Access. Assure that classrooms, labs, and field work are accessible to individuals with a wide range of physical abilities and disabilities. Make sure equipment and activities minimize sustained physical effort, provide options for operation, and accommodate right- and left-handed students and those with limited physical abilities. Assure the safety of all students.*
3. *Delivery Methods. Use multiple modes to deliver content. Alternate delivery methods, including lecture, discussion, hands-on activities, Internet-based interaction, and*

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fieldwork. Make sure each is accessible to students with a wide range of abilities, disabilities, interests, and previous experiences. Face the class and speak clearly. Provide printed materials that summarize content delivered orally. Provide printed materials early to allow the student to prepare ahead of time.

4. *Web Pages. Provide printed materials in electronic format. Create printed and Web-based materials in simple, intuitive, and consistent formats. Provide text descriptions of graphics presented on Web pages. Arrange content in order of importance.*
5. *Interaction. Encourage different ways for students to interact with each other and with you. These methods may include in-class questions and discussion, group work, and Internet-based communications.*
6. *Feedback. Provide effective prompting during an activity and feedback after the assignment is complete.*
7. *Provide multiple ways for students to demonstrate knowledge. For example, besides traditional tests and papers, consider group work, demonstrations, portfolios, and presentations as options for demonstrating knowledge.*

Employing universal design principles in instruction does not eliminate the need for specific accommodations for students with disabilities. There will always be the need for some specific accommodations, such as sign language interpreters for students who are deaf. However, applying universal design concepts in course planning will assure full access to the content for most students and minimize the need for specific accommodations. For example, designing Web resources in accessible format as they are developed means that no re-development is necessary if a blind student enrolls in the class; planning ahead can be less time-consuming in the long run. Letting all students have access to your class notes and assignments on an accessible Web site can eliminate the need for providing materials in alternative formats

Faculty Rights

- Establish essential functions, abilities, skills, knowledge and standards for courses, programs, services, jobs and activities or facilities and to evaluate students on this basis
- Determine the appropriate standards in developing, constructing, remodeling and maintaining facilities
- Confirm disability status with DSS, and request and receive current relevant documentation that supports requests for accommodations, academic adjustments, and/or auxiliary aids and services (FAF signed by DSS staff member)
- Deny a request for accommodations, academic adjustments or auxiliary aids and services, and/or barrier removal in facilities if the documentation (FAF) does not demonstrate that the request is warranted, or if the individual fails to provide appropriate documentation (FAF)
- Select among equally effective accommodations, academic adjustments and/or auxiliary aids and services – creativity encouraged.
- Refuse unreasonable accommodations, academic adjustments or auxiliary aids and services, and/or facility-related barrier removal requests that impose a fundamental alteration on a program or activity of the university

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Tips for Faculty Teaching Students with Disabilities (SWD)

Faculty should anticipate that students with disabilities may potentially be in every course. It is not required however, to anticipate every accommodation that any student with a disability might need prior to the request. Simply be prepared for the fact that some requests for accommodations will be made, and be aware of Universal Design principles.

And, by all means, do expect students with disabilities to successfully meet the requirements of your courses! And yes, it is possible to flunk a student with a disability. The secret centers on compliance with the civil rights laws which prohibit discrimination. These laws mandate access to education, not guaranteed academic success. When a faculty member has done all that is required, then flunking the under-qualified student is proper and lawful. The best accommodations are unique to the individual and develop from a cooperative relationship between the faculty member and the student, sometimes with the assistance of DSS.

The following information is partly borrowed from the 1992 Cal Poly Pomona Faculty Manual. Many of these ideas stress teaching through multiple sensory modalities while presenting and emphasizing material to help students with different disabilities. Here's a compliance checklist:

- Make the class syllabus and required texts available during registration when possible (if not beforehand).
- Stand by academic standards and freedoms. Full and equitable access to academic programs serves as the foundation to standards and freedoms.
- Communicate clear and concise expectations for performance to your students. Care should be taken to distinguish between essential and non-essential components of the course.
- Allow reasonable accommodations. Accommodations are changes in the way things are done and affect only non-essential aspects of a course. They are reasonable so long as course standards are not fundamentally altered.
- Hold students with disabilities accountable to the same standards you hold every other student. Remember, academic standards and access are complementary.
- Provide notice to your students of these standards and of your willingness to accommodate. This can be done verbally or in writing within your course syllabus. We recommend both.
- Grant reasonable accommodations. Accommodations are changes in the way things are done. They are reasonable so long as course standards aren't fundamentally altered and there is a logical link between the student's limitations and the accommodation.
- Consult with the student and DSS. Students must generate their own requests for accommodations. Requests ought to be supported by evidence of the need for accommodation. A sensible link between the disability's functional limitations and the accommodation requested must be supported. Some students may present written documentation, others may not.
- Verify the existence of the disability and need for accommodation with the student, DSS, or another authority. DSS recommends that written verification come from our office. We provide the information necessary for

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an instructor to assure program access while providing protection of student privacy.

- Per DSS written verification, permit students to use auxiliary aides and technologies which ensure access. Depending on the disability, students may use note takers, sign language interpreters, readers, scribes, and research assistants. Others may use tape recorder/players, computers, assistive listening devices and other technologies for the same purpose.
- Grant testing accommodations. Again, depending on the particular needs of a student, it may be necessary to extend testing times, change testing formats, test in a quiet environment, and so on.
- Regard disability-related discussions and information with the strictest confidentiality. Violation of student confidentiality can potentially create a hostile learning environment, thereby destroying program access. Take your cue from the student.
- Select course textbooks early. Blind and other students with print limitations must begin early to obtain their texts in alternative formats.
- When requested, provide alternatives to printed information such as class handouts or reserve materials in the library. Alternatives to print include Braille, computer electronic text, large print, and tape cassettes. If Internet resources and other technologies are used, then they must be as accessible to students with disabilities as they are for other students. DSS coordinates provision of these alternative formats.
- Make academic adjustments in instruction. Some students need lecturers to face the audience while speaking. A student may ask you to use the existing sound system in a classroom, or to wear a small transmitting microphone while they wear the FM receiver. Others may need written or graphic information spoken aloud or described. Adjustments such as these may be taken after the student requests them.
- Reading - Note if student has: Slow reading rate; Poor phonics skills, confusion of similar word; Difficulty comprehending what is read; Trouble identifying main ideas and determining what is important; and Difficulty remembering what is read
- Oral - Note if student has: Difficulty remembering spoken instructions; Problems describing events or stories in sequence; Misuse of words—using a similar sounding word for the appropriate one; Greater problems with grammar or ideas when speaking than when writing; and Problems expressing ideas that he or she understands
- Mathematics – Note if student has: Problems with abstract concepts and reasoning; Difficulty recalling basic math operations and facts; Reversals and confusion of numbers and symbols; Difficulty comprehending word problems; and Problems copying from the board or carrying from one column to another class content and your teaching style with students with disabilities.
- Additional Suggestions:
 - Begin lectures or discussions with a review of the previous lecture and an overview of topics to be covered that day.

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- Use the chalkboard or overhead projector to outline lectured material; when practical, read the outline aloud.
- Emphasize important points, main ideas, and key concepts orally during lectures and highlight them on an overhead or on the board.
- Speak distinctly and at a relaxed pace, pausing occasionally for students to ask questions or catch up on their note taking, or for an interpreter to catch up.
- Try to diminish or eliminate auditory and visual classroom distractions, such as noise in the hallway or flickering fluorescent lights.
- Provide opportunities for participation, questions, and/or discussion during, or at the end of the lecture.
- Ascertain whether students understood material presented by asking volunteers to give examples or summaries.
- Give assignments in writing, as well as orally, and be available for further clarification.
- Provide suggested time lines for long range assignments, and suggest the submission of rough drafts at appropriate points.
- Provide time during office hours for individual discussion of assignments, questions about lectures, and readings.
- Provide a study guide for the text, study questions, and review sessions to aid in mastering material and preparing for exams.
- Help students form study groups to verbally process and discuss material from class and readings.
- Ask all students who disclose a disability how you, as a professor, can facilitate their learning.
- Encourage all students to use the Writing Center, library assistance, Student Support Services, tutors, and other academic support
- Discreetly approach a student whom you suspect may have a disability and discuss with her or him your observations. Suggest that the student contact DSS.
- Evaluate students on the basis of their abilities and not their disabilities
- Maintain appropriate confidentiality of records and communication except where permitted or required by law
- Respond to the student's request for reasonable accommodation services on a timely basis (once the student has presented the FAF)
- Discuss accommodations with the affected student
- Contact DSS with questions as to how to best address problems, and sign appropriate forms as necessary, and in a timely manner
- Ensure that appropriate aids are available to the student in a timely manner

When are accommodations not required?

If you are uncertain about a request for an accommodation, you can challenge the student's request in a number of ways. First, you can ask the student for their Faculty Accommodation Form (FAF), a verification from DSS that ensures requested accommodations are recommended by DSS. If the letter doesn't contain any mention of the requested accommodation, you can contact the DSS office. Remember, the accommodation is considered unreasonable if it reduces the academic standards, or your requirements for a given course. It is also unreasonable if it is

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impossible to administer. If an accommodation does not appear to be appropriate given the student's functional limitation, DSS will not support it.

Many accommodations may be requested by the student that have not been discussed with DSS. This doesn't always mean that the request is unreasonable under the law. Contact DSS if you are unsure if a request is reasonable and suggest other alternatives to offer the student. If you decide to deny a request as unreasonable, inform the student, clearly indicating your rationale. If you have discussed this with DSS already, refer them back to DSS for further clarification.

UW Superior is committed to providing accommodations unless they fall under one of the following three categories:

Fundamental Alteration: If an accommodation reduces the academic standards of the University, its schools, departments, or its courses, the accommodation is deemed unreasonable. Academic standards are essential for any student. It is unreasonable to alter these fundamental standards as an accommodation for a student with a disability.

Undue Hardship: If an accommodation costs too much or is impossible to administer, it may be deemed unreasonable. An undue administrative burden occurs when the University doesn't have enough time to respond to the request, or when it would be impossible or infeasible to administer. In every instance, the University reserves the right to offer other, equally effective accommodations.

Personal Service: If a request for an accommodation falls under the definition of a personal service, the University denies the request because it is unreasonable. Personal services are those that a person with a disability must use regardless of attendance at the University. In addition, personal services are those for which no correlation between the disability's functional limitation and program access can be established. The University, for instance, does not purchase wheelchairs or other assistive technologies used in every setting to compensate for a mobility impairment. Other examples of personal services may include independent living, mental health, rehabilitation, remediation and tutoring.

Additional Faculty Handbooks/Information

See also Accommodations, Reasonable Accommodations and Universal Design in this handbook, under Section I: Terms and Definitions.

You might also want to review other check out the following web sites for classroom accommodation suggestions:

- <http://www.umt.edu/dss/es/es-01.html>
- <http://www.uwstout.edu/stusrv/teachable/>
- <http://www.uwstout.edu/stusrv/teachable/manual.pdf>