

TEACHING STUDENTS WITH DISABILITIES

SECTION I: OUR LEGAL OBLIGATION

While Southeast Missouri State University is interested in providing accommodations for our students with disabilities as the logical outcome of our mission as an institution of higher education, the University is legally obligated to provide these accommodations under two important federal laws. These two laws are *Section 504 of the Rehabilitation Act of 1973* and the *Americans with Disabilities Act of 1990*.

Section 504 of the Rehabilitation Act of 1973

Section 504 is a federal regulation requiring institutions receiving federal funding to provide program accessibility to students with disabilities. Section 504 mandates:

No otherwise qualified person with a disability in the United States...shall, solely on the basis of disability, be denied access to, or the benefits of, or be subjected to discrimination under any program or activity provided by any institution receiving federal financial assistance.

Americans With Disabilities Act of 1990

The American with Disabilities Act (ADA) is an omnibus civil rights statute that prohibits discrimination against individuals with disabilities in employment, public services, public accommodations, transportation, and telecommunications. The ADA goes beyond Section 504 by requiring institutions of higher education to provide access to students with disabilities regardless of whether or not the institution receives federal funds. As a state institution, Southeast Missouri State University comes under Title II of this act which states:

Subject to the provisions of this title, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

The ADA was amended in 2009 with the primary goal of re-establishing the original intent of the law which was to ensure access for people with disabilities.

While the Department of Justice has primary responsibility for the implementation of the ADA, education issues are the domain of the Office of Civil Rights of the Department of Education. The ADA is generally implemented under the same guidelines established for Section 504. Students have the right to grieve a perceived discriminatory action through the Office of Civil Rights. Disability Services has available through their website and in their office a grievance procedure for students with disabilities in an effort to resolve any perceived discriminatory actions in a timely and effective manner.

SECTION II: FACULTY NOTIFICATION OF STUDENTS WITH DISABILITIES

Students with disabilities are required to register with Disability Services (DS) if they wish to request accommodations for their classes. Students should not be provided academic

accommodations for a disability unless the student has completed the registration process with DS. The registration process includes the student: submitting a request for services, providing documentation that substantiates the request for services, and meeting with a DS professional staff member. The student is responsible for providing documentation. DS does not provide testing for students to determine if a disability does exist. DS will provide referrals to local and state agencies that may assist students in completing testing and/or gathering documentation that substantiates the existence of a disability. Services are determined for each student on a case by case basis.

DS is a central location for the reception and evaluation of documentation of disabilities. DS staff have experience evaluating documentation and determining what accommodations are appropriate for a given disability. DS is not only concerned to insure that students receive the accommodations they need but is also committed to preserving the quality and integrity of Southeast's academic programs. If there are questions regarding the viability or appropriateness of an accommodation requested by a student, DS is here to assist you in determining what is a reasonable accommodation.

Once a student with a disability has become registered with DS, DS will send faculty notifications to faculty to inform them of what are appropriate accommodations both reasonably and legally. Faculty are strongly encouraged to refrain from providing any accommodation for a student for whom they have not received a faculty notification memo. Students should be referred to DS to register and/or authorize the sending of the appropriate notification. Students may become registered at any time during the semester, so it is possible that faculty will receive notices throughout the semester. Additionally, if students have a change in their disability status, it is possible that faculty will receive an updated faculty notification during the semester.

Students are strongly encouraged to speak individually with each instructor during the first week of classes concerning their individual needs. Faculty are encouraged to modify, when necessary, rather than waive specific course requirements; **lowering academic standards for students with disabilities is not an appropriate accommodation.** DS staff are available to consult with students or faculty members to arrange proper adaptations or accommodations

Legally, students have a right NOT to be identified as disabled, if they so choose. They will not get accommodation unless they identify themselves, but that also is their choice. Moreover, while DS presumes that faculty are concerned with maximizing the learning experience in class for students, DS must also be concerned with helping the student develop the independence and self-advocacy that will help him or her outside the classroom while in college and beyond. Students with disabilities need to learn how to explain their disability, describe their needs, and negotiate appropriate accommodations. Their need for accommodations will always exist - the skills needed to obtain such accommodation should also be developed on a permanent basis.

For all of these reasons, it is appropriate for students to take the responsibility for identifying themselves and their need for accommodation to faculty, rather than vice versa. A student must take the initial step in self identification by registering with DS as a student with a disability. If a faculty member is concerned that a student in his or her class may have a disability and the

student has not identified themselves as such, faculty are welcome to contact one of the DS staff members to consult about their concerns.

The faculty notification identifies the instructor, course, the student, and the student's ID number. The memo does not identify the student's diagnosis but sets out what accommodations are deemed appropriate in light of the documentation on file with DS. It is best not to assume that one set of accommodations will work for all students, or that two students using the same accommodation have the same disability. Faculty who feel a need for diagnostic information should discuss this with the student at their first interview regarding accommodation. DS attempts to respect the students' right to privacy and control of their diagnostic information to the greatest extent possible.

Registered students occasionally have approved accommodations that may not be needed in every class setting. It is reasonable that a student may use one accommodation in one course and a different accommodation in another course. With this in mind, DS encourages each student to take the initiative in arranging to discuss accommodations with each faculty member once the faculty member has received their copy of the faculty notification. Students will feel more comfortable about identifying themselves in this manner if they are approaching someone whom they believe to be receptive to the discussion. For that reason, faculty are encouraged to include a statement on each class syllabus such as:

“Southeast Missouri State University and Disability Services remain committed to making every reasonable educational accommodation for students with disabilities. Many services and accommodations which aid a student's educational experience are available for students with various types of disabilities. It is the student's responsibility to contact Disability Services to become registered as a student with a disability in order to have accommodations implemented. Accommodations are implemented on a case by case basis. For more information visit the following site: www.semo.edu/ds or contact Disability Services at 573-651-5927.”

III. STANDARD ACCOMMODATIONS

Accommodations are designed to provide equal access to the curricular, co-curricular, and extra-curricular opportunities offered through the institution. Accommodations are not designed to give a student with a disability an advantage. Students with disabilities through accommodations should have the same opportunity to pass or fail a class as a student without a disability.

Accessible Classroom

If a faculty member knows of a classroom that is inaccessible to a student with a disability, please contact DS or the academic department to arrange to move the class or to identify other measures by which the class may be made accessible. Elevators may break down on occasion. It is important to notify DS or Facilities Management when such breakdowns occur. It may be necessary for the faculty member to work with the academic department to relocate a class temporarily while an elevator is being serviced.

Accessible Seating

Students may require alternative seating in the classroom. These may include desks, tables, and chairs. The faculty member should be notified of this need in the faculty notification. DS will arrange for alternative seating through Facilities Management. If the appropriate seating is not available or is removed from the classroom, the faculty member should contact DS as soon as possible. **Please do not remove accessible furniture from a classroom.** It is there because a student requires it, even if that student is not in your class.

Alternative Format of Text, Written Material and Enlarged Print

Students with visual impairments often are unable to access textbooks. Therefore, an appropriate accommodation is alternative text. Frequently, that will be a textbook that has been recorded on a CD that the student can access, or is electronic text that the student can access through their own computer and/or with the assistance of assistive technology. It is time consuming to create alternative text and students are requested to provide DS with at least 4-6 weeks notice when DS is to locate and/or create the alternative text. Faculty can be helpful by choosing texts early. If texts are selected early, make them available through Southeast Bookstore Textbook Services so that the student requiring alternative text has time to make the necessary arrangements. **All printed course material must be accessible to students; this includes handouts, textbooks, additional readings and so on.** It is expected that faculty will assist those students that require alternative text for items that are of limited pages and/or of limited availability. This also includes large print. Students that require alternative text may also require enlarged print. Faculty are expected to provide their syllabus and in class handouts/assignments in alternative text and/or enlarged print.

Assistive Listening Devices

Some students with hearing impairments may opt to use an Assistive Learning Device (ALD) in class. An ALD uses a FM radio frequency to broadcast what the instructor is saying directly to the student. The instructor will be requested to wear a small clip-on microphone and will need to carry a transmitter about the size of a transistor radio. This can easily fit into a pocket or clip on a belt. The student wears a headphone, earplug, or a neck loop which works in concert with the student's hearing aid. These plug into a receiver which the student carries. The student will bring the transmitter and the receiver to class each class period.

Audio Material

Audio material presented in the classroom with a student with a hearing impairment will need to be subtitled or provided in a way that is accessible to the student. In this situation it is important for the faculty member to work closely with the student in order to determine the most appropriate method for the student with the hearing impairment to access the audio material.

Due Consideration for Absence/Tardiness

Some students with physical or visual impairments may require due consideration for absence or tardiness due to their impairment. Due consideration should be provided to the student when absent or tardy for classes due to the nature of their impairment. A plan should be established at the beginning of the semester covering the expectations of the student should they be absent from

class (for example: how to contact the professor, the amount of time that will be allotted to complete assignments if accepted after the students return to class, etc.)

Due Consideration for Spelling

Due consideration for spelling is a necessary accommodation for students with a learning disability which significantly impairs their ability to spell correctly. Students may ask for use of spell check or leniency when grading materials toward grading for content as opposed for spelling.

Due Consideration for Breaks During Class

Students may require due consideration for breaks during class as an accommodation in order to accommodate a disability which may require that they move around and not stay in the same position for an extended period of time or that they take frequent restroom breaks. In these instances it is important to work with the student on being discreet when breaks are needed during class.

Extended Time for Examinations

Extended time is not to be interpreted as “untimed.” The notification which the instructor receives from DS will specify the amount of extended time that has been deemed appropriate. Time and a half is the most typical amount of extended time approved.

Exam Readers

While the University regularly provides readers for examinations, readers for outside reading assignments and research is not considered a standard accommodations. Students that are connected with service-providing state or community agencies may receive financial assistance for readers that will read text to the student. Student with visual impairments more often use an alternative format of text, as explained below, instead of a reader. It is not appropriate for a family member or personal acquaintance of the student to be used as a reader for exams.

Exam Scribe

An exam scribe provides access for students who have a physical impairment or visual impairment which prevents them from writing during an exam. Sometimes this accommodation is approved for written exams only, especially if the student’s impairment is related to their writing capabilities. It is not appropriate for a family member or personal acquaintance of the student to be used as a scribe for exams.

Second Set of Textbooks

Some students have limitations to the weight load they can carry on campus. For those classes that require the use of the textbook during the class session, a second textbook may need to be provided. If the faculty member has a “desk” copy that the student can use, that is considered sufficient. The faculty notification will alert the instructor to such a situation.

Sign Language Interpreters

DS coordinates interpreter services for students with hearing impairments. Students who require interpreter services should contact DS well in advance of the date of their original registration as

a student. No changes in interpreter services should be made without notifying DS at the earliest possible time.

As of July 1, 1998, all paid interpreters must be certified by the Board of Certification of Interpreters of the Missouri Commission of the Deaf according to state law (209.285-209.339 RSMo). DS monitors the status of certified interpreters in our region and will insure that the interpreter serving in each class has appropriate certification.

Solitary Environment for Examinations

A solitary environment for examinations removes distractions from the student's testing environment. A solitary environment becomes even more essential when a student is using the services of a reader for an examination. The selection of a room for the exam is at the discretion of the instructor **and** the student. For example, an office or conference room in the department may be acceptable. It is important that the environment present a minimal number of distractions. An environment where people are walking into and out of the setting is not considered appropriate.

Recording of Lectures

Under Section 504 of the Rehabilitation Act of 1973, recording of class lectures must be permitted if that is an appropriate accommodation for a student with a disability. A professor who is planning to publish his or her materials may feel that recording of the lectures would interfere with these plans. It is appropriate for the professor to ask the student to sign an agreement not to release the recording or otherwise obstruct the copyright. Allowing seating near the front of the classroom will insure clear recordings. Students are required to provide their own recording device.

Use of Calculator

Just as with use of a computer, the use of a calculator can directly ameliorate math related disability difficulties. As such, some students will be approved for use of a calculator for math related coursework. Students are required to provide their own calculator.

Use of Computer/Word Processor

Due to the nature of their disability, some students will perform better on in-class assignments and examinations if they are allowed to use a computer. This can make the students' work more legible and can accommodate their learning style while circumventing their disability. Some students should be allowed to use a portable or computerized program. This also holds true for examinations. Students that are approved for use of computer will need to work with the faculty member to identify the most effective way to use this accommodation. For example, it is appropriate for a student to be able to use a computer lab that is located close to the classroom.

Volunteer Note takers

DS operates on the philosophy that the best note takers are students taking the course for credit. With that in mind, DS encourages registered students to identify students in their courses that may assist them with taking notes. If the registered student is unable to identify a suitable note taker, it is reasonable for the registered student to request their faculty member to assist them.

Most often, the faculty member need only make an announcement in class that a student is looking for assistance with notes, and that any student interested in assisting should stay after class that day so that the faculty member can introduce the note taker to the student. If no one volunteers to be a note taker, please notify DS.

DS provides students requiring note takers with NCR notepads which produce two non-carbon copies of the notes taken by the note taker. Note takers and the registered student should make arrangements for the delivering and receipt of notes. Some note takers prefer not to use the NCR notepads. On those occasions, the note taker should be allowed to photocopy their notes for the student.

While these are the most frequently used accommodations, on occasion faculty will find other accommodations listed on their faculty notification. Faculty are encouraged to contact DS with any questions regarding accommodations are the intent of the accommodation.

Guidelines for Use of Testing Services for Test Accommodations

Some students will elect to use Testing Services as a way to implement their accommodations. Testing Services is located on the Cape Girardeau campus, but is also available to assist with testing accommodations for students at the Regional Campuses.

- (1) Primary determination of the means of providing examination accommodations for students with disabilities remains with the individual instructor. DS and Testing Services work together to assist faculty in meeting their legal obligations under the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.
- (2) Faculty and students who choose to implement accommodations through Testing Services may contact them directly at (573) 651-2836 to make arrangements. Testing Services will have a copy of each student's faculty notification on file in order to identify and/or verify appropriate testing accommodations for each student.
- (3) A one-week notice is required to guarantee accommodations for an examination through Testing Services. Testing Services will attempt to provide accommodations with less than a week's notice but can give no assurance that services can be provided. Any faculty member who cannot provide the required notice is responsible for providing the legally required accommodations for the examination. Any faculty member who changes a test date within one week of an examination is responsible for providing these accommodations as well.
- (4) In order to provide accommodations, Testing Services may require that a test be given at a time other than the regularly scheduled testing period. Any faculty who do not wish to allow this flexibility in scheduling will need to provide the required accommodations at the exam hour. If a faculty member is in agreement with the rescheduling of an exam but a student does not wish to take the exam at another hour when services are available, the student may choose to take the exam without accommodations.

- (5) The instructor and student should discuss how testing accommodations will be provided. If the plan is to use the resources of Testing Services, an understanding as to whether the student or the faculty member will request accommodations before each exam should be established. If it is agreed that the student will notify Testing Services, they will need to have sufficient advance knowledge of the exam in order to give the required one week notice to Testing Services. If the student fails to give the required notice when they have been given sufficient advance knowledge, the student forfeits the right to testing accommodations unless other accommodations are allowed by the instructor.

SECTION IV: DISABILITY ETIQUETTE 101

- Offer assistance to a person with a disability but wait until your offer is accepted before you help. Listen to instructions the person may give.
- When giving directions to a person using a wheelchair consider weather conditions, distance and physical obstacles such as stairs, curbs, or steep hills.
- Use specific directions when directing a person with a visual impairment. If guidance is offered, allow that person to take your arm. This will enable you to guide rather than propel or lead the person.
- Be considerate of the extra time it may take for a person with a disability to get to a location or to get a task done.
- When planning events involving persons with disabilities consider their needs before choosing a location. If insurmountable barriers exist, find another location or discuss the barriers with the person who is disabled beforehand.
- When talking to a person who has a disability, speak directly to that person, not through a companion. This includes sign language interpreters.
- Relax, don't be embarrassed if you use common expressions such as "See you later" or "Gotta run," that seem to relate to a person's disability.
- To get the attention of a person who has a hearing problem, tap them on the shoulder or wave. Look directly at the person and speak clearly, slowly and expressively to establish if they read lips. Not all people with hearing impairments can read lips. Those who do rely on facial expression and body language for understanding. Stay in the light and keep food, hands and other objects away from your mouth. Shouting won't help. Written notes will.
- When talking to a person using a wheelchair for more than a few minutes, place yourself at eye level with that person. This will spare both of you a sore neck. Leaning on a person's wheelchair is similar to leaning or hanging on a person and is usually considered annoying and rude. The chair is a part of one's body space.
- When greeting a person with a severe loss of vision, always identify yourself and others. Remember to identify persons to whom you are speaking. Speak in a normal tone of voice and indicate when the conversation is over. Let them know when you move from one place to another.
- Give undivided attention when you talk to a person who has difficulty speaking. Keep your manner encouraging rather than correcting. Be patient, don't speak for that person. When possible, ask short questions that require short answers. Repeat what you understand.
- Avoid attaching labels to people, whether they are disabled or not.

- When speaking about people with disabilities, portray them as they are in real life; as parents, employees, business owners, students, faculty, professionals, etc.
- Emphasize the uniqueness of all people rather than the differences. Your efforts can help to eliminate the “one of them vs. one of us” attitude towards people with disabilities.
- Use the word disability or accessibility rather than handicap.
- Place the person before the disability. Say “person with a disability” rather than “disabled person,” “student with a disability” rather than “disabled student.”
- Because a person is not a condition, avoid describing a person in such a manner. Don’t present someone as an epileptic or a post-polio, say a person with epilepsy or a person who has had polio.

SECTION V: FACULTY ROLE IN SERVICES FOR STUDENTS WITH DISABILITIES
(The following information is provided each semester along with the Faculty notification.)

The Faculty Role in Services for Students with Disabilities

Creating a diverse and inclusive learning environment, which is part of the University’s commitment, includes providing equal access for students with disabilities. As an educator, you are an important partner in this endeavor and the following information is designed to provide you with a brief overview regarding equal access to students with disabilities.

Four Key Facts Regarding Students with Disabilities

1. Equal access to education is achieved when physical and instructional barriers to learning are removed and the student is allowed to compete on the basis of their academic abilities.
2. Students with disabilities have met the same admission standards to be enrolled in courses as have other students in your class; in other words, they are “otherwise qualified” to be here.
3. Once admitted, students with disabilities who request assistance from the University must provide DS with appropriate documentation for review. The documentation must come from a qualified professional and provide information regarding the functional limitation imposed by the disability in an academic setting. After DS determines a student has a documented impairment that limits one or more major life activities (including learning), the student will be eligible for support.
4. Once students with disabilities have established their eligibility for services, you will receive a Faculty Notification that details the student’s academic accommodations which you are to provide. Reasonable accommodations are designed to offset the substantial limitation imposed by the disability, not to alter essential elements of courses or programs.

Four Important Actions to Assist Students with Disabilities

1. Include a statement on your syllabus each semester which invites students with disabilities to meet with you and which provide contact information for DS.
2. Provide academic accommodations only after you have received a Faculty Notification. If a student requests academic accommodations or provides you with disability documentation, but you have not received a Faculty Notification, refer that student to DS.
3. The student is to meet with you to discuss the best way to implement their accommodations. You and the student must agree on how to best use the accommodation.

4. The student with a disability should be held to the same academic standards as otherwise qualified students.

SECTION VI: ADDITIONAL INFORMATION

- You can contact DS at 573-651-5927 or through the office email at ds@semo.edu.
- You can access information about Universal Design and Universal Instructional Design through the DS website.
- If you wish to be a part of the Disability Advisory Committee, please contact the Director or Coordinator of Disability Services. DS is always seeking faculty support through this committee.
- ASD Online is an online course which offers information about disability law, the accommodation process, working with students with disabilities, and universal design. The link to the ASD Online Website is: <http://asdsrvr.semo.edu>. To get started go to the website, click Sign-Up Now, create a username and password, the Key is redhawksasdt. If you have any questions about ASD Online please contact Emily Oliveira, the Coordinator of DS at 573-651-5927 or ekoliveira@semo.edu.