

A FACULTY GUIDE TO ACCOMMODATING STUDENTS IN THE CLASSROOM

The Special Needs Office of Cochise College

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INTRODUCTION

This guide focuses on the legal rights of individuals with disabilities attending post-secondary institutions and the faculty's role in classroom accommodations. It is an information resource for Cochise College faculty to increase understanding of the educational implications of making programs and facilities accessible to students with disabilities.

There are two federal laws which prohibit discrimination against individuals with disabilities: Section 504 of the Rehabilitation Act of 1973 and the

The Americans with Disabilities Act of 1990. Section 504 applies if a school receives federal financial assistance. Title II of the ADA applies if the state, county, or city operates the school. If a postsecondary school receives federal assistance and is operated by a state or local government, then both Section 504 and Title II of the ADA apply to the institution.

Section 504 of the Rehabilitation Act of 1973 provides:

No otherwise qualified individual with a disability... shall solely by reason of his or 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... 29 U.S.C. § 794(a).

Title II of the ADA, which covers state-funded postsecondary institutions, provides:

No qualified individual with a disability... shall be excluded from participation in or be denied benefits of the services, programs, or activities of a public entity... 42 U.S.C. § 12132 (Supp.V)

The ADA and Section 504 protect qualified individuals with a disability. To be eligible for protection under these laws, a person must meet the definition of an individual with a disability and be qualified for the school program. A qualified individual must have documentation of an actual disability from a certifying professional stating that the disability substantially limits at least one major life activity. Learning is included as a major life activity under the ADA. The person with a disability must be able fulfill the essential functions or requirements of the program either with or without an accommodation. Persons who have a history of disability, including past alcohol or drug abuse, may also be covered under ADA if they have successfully completed a rehabilitation program. Those who are perceived as having a disability, - for example, a burn victim who really has no impairment other than scars or disfigurement- may also be perceived as having a disability and are ADA eligible.

REASONABLE ACCOMMODATION

According to the ADA, a reasonable accommodation is a provision of an auxiliary aid or adaptation of the manner in which courses are taught that allows access to the educational programs, materials, activities, and degrees offered at the college. An accommodation that creates undue hardship on the institution in that it is unduly costly, substantial, disruptive, or that would fundamentally alter the nature of the course or program is not deemed reasonable under ADA. However, when considering if an accommodation is too costly, the entire resources of the institution must be taken into account.

Postsecondary schools are required to provide auxiliary aids and services to ensure that no individual is excluded or treated differently. Some examples of possible aids are:

- Qualified sign language interpreters
- Qualified readers, taped texts, or alternate formats such as large print or Braille versions of materials
- Acquisition or modification of equipment or devices
- Note takers
- Extended time for test taking and assignments
- Oral testing
- Quiet testing
- Use of tape recorder in class
- Spelling aids, and/or calculators
- Assistive technology, e.g. computer software
- Allowing absences beyond usual attendance requirements
- Making facilities accessible to students with physical disabilities

Accommodations are highly individualized and are tailored to the individual student based on documentation from a certifying professional. Documentation must include testing results of diagnostic instruments that measure the impact of the disability on classroom performance.

Schools may not require students to bear the cost of any accommodation. However, schools are not required to pay for accommodations during a student's personal time or those that are strictly personal in nature, such as a personal attendant.

DOCUMENTATION

Documentation must be fairly recent and from an approved expert in the area of the disability. It must be sufficiently comprehensive. Sufficiently comprehensive means that it must identify the testing mechanisms, testing procedures, and findings. In addition to providing documentation of a specific disability, the school may require documentation to support the student's request for a particular kind of academic adjustment.

The law does not require that the school provide the exact accommodations requested by the student. Schools must provide effective accommodations that offer students an equal educational opportunity. The school must consider the student's preference but may legally select the least costly, effective accommodation even if it is not the student's first choice.

Diagnostic instruments used to verify a disability may include:

- A clinical interview and history
- Stanford Binet Intelligence Scale
- Wechsler Adult Intelligence Scale
- Woodcock- Johnson Psycho- Educational Battery
- Wechsler Memory Test
- Visual Aural Digit Span
- Bender Visual Motor Gestalt
- Trails Test
- Ayers Tests of Sensory- Motor Integration
- Spondaic Word Patterns
- Halstead- Reitan Battery
- Positron Emission Topography Scan (PET scan)

Testing should be preformed by a licensed Clinical/Educational psychologist, a certified language therapist, neuropsychologist, psychologist, psychometrist or physician. Testing should include a recommendation for specialized interventions for effective classroom accommodation.

It is the student's duty to notify the college of his/her disability and to provide supporting documentation of a disability requiring accommodation. At no time is the student required to provide documentation to anyone other than the Director of Disability Services.

WAIVERS AND SUBSTITUTIONS

Students may request that certain classes be waived from a degree requirement if the students can produce the required documentation for this type of accommodation. This is not a guaranteed accommodation even if the documentation is provided. The Office of Civil Rights (OCR) has held that federal law does not require a college to waive required courses where the school can show that the course is essential to the degree program. This rule also applies for a request to waive certain elements of a class such as term papers or presentations. For example, a class that focused on research principles and techniques and basic reference sources for preparing a research paper is not required to waive that element of the class. However, extended time to complete the research project is a reasonable accommodation.

The most common request for waivers and substitutions is for a foreign language course. Certain types of learning disabilities make it difficult for a student with a processing problem or a speech impediment to complete a language course successfully. Unless the school can show that a foreign language is an essential part of a program, the student should be allowed to waive the foreign language requirement.

Students requesting a waiver must submit medical documentation explaining how the disability would preclude taking the class and supporting the need for the requested waiver. All requests should be referred to the Special Needs Office at 515- 5337 on the Sierra Vista campus and the appropriate instructional manager.

LEARNING DISABILITIES

The National Institutes of Mental Health (NIMH) describes learning disabilities as follows:

“Learning disabilities (LD) is a disorder that affects people’s ability to either interpret what they see and hear or to link information from different parts of the brain. These limitations can show up in many ways—as specific difficulties with spoken and written language, coordination, self- control, or attention. Such difficulties extend to schoolwork and can impede learning to read or write, or to do math.

Learning disabilities can be lifelong conditions that, in some cases, affect many parts of a person’s life: school or work, daily routines, family life, and sometimes even friendships and play. In some people, many overlapping learning disabilities may be apparent. Other people have a single, isolated learning problem that has little impact on other areas of their lives.”(1993)

LEARNING DISABILITIES FACTS

- 15- 20% Of the US population has some form of learning disability according to estimates from the latest research conducted through the National Institutes of Health on reading disabilities.
- Attention deficits and hyperactivity sometimes co- occur with learning disabilities.
- Learning disabilities have distinct characteristics and should not be confused with the following handicaps: mental retardation, autism, deafness, blindness and behavioral disorders.
- Learning disabilities are not the same in all people. Each individual is unique, and manifestations of learning disabilities vary tremendously.

National Center for Learning Disabilities Inc.

http://www.ncld.org/info_ld.html

DYSLEXIA

Dyslexia is a learning disability characterized by problems in oral or written language. Problems may emerge in reading, spelling, writing, speaking, or listening. Dyslexia is not the result of low intelligence. Dyslexia is defined as a gap between learning aptitude and achievement that cannot be attributed to behavioral, psychological, motivational or social factors. Research suggests that dyslexia is caused by differences in the structure and function of the brain. The dyslexic has problems translating language into thought or thought into language.

Characteristics:

- Lack of awareness of sounds in words, sound order, rhymes, or sequence of syllables
- Difficulty decoding words (single word identification)
- Difficulty encoding words (spelling)
- Poor sequencing of numbers or letters in words (when read or written)
- Problems with reading comprehension
- Difficulty expressing thoughts in written form
- Delayed spoken language

Dyslexics do not “see backward.” Dyslexia is not a vision problem. These students respond best to a multi - sensory delivery of language content.

Classroom Accommodations:

- Allow student to tape record lectures
- Allow for frequent practice or “over learning” for mastery of skill
- Books on Tape
- Use audio- visual and visual demonstrations whenever possible
- Allow students to complete tests and assignments on tape, orally or through demonstration
- Allow extra time to complete tests/exams
- Design test so that subject knowledge is assessed rather than reading, writing, or spelling

Not all students will need all accommodations. Some students may have learned to compensate for their disability on their own and need no accommodation.

HEARING IMPAIRMENTS

The term “hearing impaired” refers to any person with any type or degree of hearing loss. The major challenge facing the deaf student is communication. Many students with a hearing loss can lip-read, but at best, they can read only 30- 40% of the sounds of spoken English. Many, but not all, deaf persons use American Sign Language. Many students who use sign language will have difficulty with grammar rules, particularly the placement of articles in written language, as they are not used in signing. Most deaf people will use an interpreter.

Interpreters in the classroom:

- Interpreters consider all information from an interpreting situation as confidential.
- Interpreters maintain an impartial attitude while interpreting.
- The interpreter should not be considered part of the conversation and is not permitted to voice personal opinions or enter the conversation.
- Remember the interpreter is a few words behind the speaker, allow him/her time to finish so that the deaf person has time to understand and respond.
- Only one person at a time should speak so that the interpreter can follow the conversation accurately.

Classroom Accommodations

- When possible, provide a list of new vocabulary words before class. Often the interpreter and student will need to create a new “sign” for technical vocabulary.
- Speak at a moderate rate and in a normal tone of voice.
- Allow preferential seating to maximize student’s residual hearing and lipreading ability.
- Orient class to the presence of the interpreter. The deaf student should be part of the class, not the center of attention.
- Speak directly to the student, not the interpreter.
- Be aware that if you turn to the chalkboard and continue speaking, the student who lipreads will not know what you are saying.
- Use visual aids whenever possible.
- Identify a reliable student notetaker if asked to do so on the accommodation letter.
- Be aware that deaf or hard of hearing students often have difficulty reading and writing at grade level. American Sign Language generally does not use parts of speech (e.g., articles) in the same way as written English.

VISUAL IMPAIRMENTS

The legal definition of blindness indicates that a person's vision with corrective lenses cannot be improved beyond 20/200 or that the person has a field of vision less than 20 degrees. A person with vision problems may have significant difficulty doing necessary classroom assignments. Students with visual problems may be unable to use standard printed materials (textbooks, classroom handouts, references, and supplemental readings). They may be unable to obtain information written on a black or white board. Often tests cannot be taken in standard form or in the allotted time frame.

Interacting with a blind or visually impaired student

- If the person needs assistance, identify yourself and offer your services.
- If you are walking with the person, let him/her take your arm just above the elbow, and walk in a relaxed manner.
- When giving directions, use descriptive words such as "straight, forward, left." Avoid the use of vague terms such as "over there."
- Guide dogs are working animals. It is hazardous for the dog to be distracted. Do not pet or touch the dog without permission.
- Feel free to use words like "see" or "look" when speaking to a blind person.
- Do not assume the person will recognize your voice. Identify yourself by name.
- It is helpful to speak directly to the person and maintain eye contact.

Classroom Accommodations

- When lecturing be as clear and descriptive as possible.
- When using the board or overhead projector, verbalize as you go. Spell out new or technical terms.
- Make tests and assignments available to the Special Needs Office ahead of time if they will need to be enlarged or converted to alternative format.
- Give verbal notice of room changes, special meetings or new assignments not given in the syllabus.
- Taped textbook
- Large print assignments and handouts or materials ready for scanning (one page of text per page. Do not copy materials with two pages shrunk down to fit one page- screen-reading software is unable to read in this format)
- Notetaker
- Tape recorder
- Oral tests and exams

- Extended time for test taking and assignments
- Preferred seating
- Talking calculator
- Low vision aids

ORTHOPEDIC/MEDICAL IMPAIRMENTS

Though most disabilities of this type are obvious to the observer, some are not. A condition such as chronic back pain or arthritis may not be visible to the observer but is a covered disability under the ADA. Disorders under this category may result in limitations in walking, manual dexterity, strength, coordination, and range of motion. Students may use wheelchairs, crutches, braces, walkers or canes. These students need all architectural barriers to classroom access removed. The ADA guarantees access to all programs and services. Please keep this in mind if you plan to take a class trip. The Special Needs Office will help you make the necessary arrangements for access to the remote site. If access is impossible, you must provide an alternative assignment that provides the same information and learning experience as the field trip.

Common difficulties of orthopedically impaired students

- Inaccessible classrooms or tables
- Impaired verbal communication
- Decreased notetaking and writing ability
- Impaired hand- to- eye coordination, fine motor coordination
- Decreased physical stamina and endurance
- Arriving late to class if classes are scheduled close together, or if he/she must take a circuitous (but accessible) route.

Interacting with orthopedically/medically impaired students

- Sit down, if possible, and speak at eye level to students in wheelchairs.
- When it appears that a student needs assistance, ask if they want your help.
- It is not necessary to avoid using words like “running’ or “walking.”
- If the student’s speech is difficult to understand, do not hesitate to ask that he/she repeat the communication.
- If you open a door for a person, go through the door first and then hold the opened door so that you do not impede mobility.

Classroom accommodations

- Use of tape recorder
- Notetaker
- Extra time for tests
- Allow students with speech problems extra time to participate in class discussions

- In a lab setting, allow someone to assist the physically challenged person with pouring, lifting, etc.
- Arrange classroom furniture to avoid barriers to the student who uses a wheelchair.

SYLLABUS STATEMENT

All course outlines/procedure sheets should contain a disability statement.

Sample statement:

Students wishing to receive an accommodation for a disability should make an appointment with the Director of Disability Services, Mary Kelly Lea, in the Special Needs Office. Please call 515- 5337 for an appointment.

NOTE: Students are not required to disclose the nature of a disability to anyone other than the Director of Disability Services. Students are encouraged, when appropriate, to discuss accommodations with their instructors, but they are protected under the ADA from revealing a disability unless they choose to do so.

If you question the appropriateness of an accommodation, call the Special Needs Office. The Director of Disability Services will arrange a meeting with you and the student to discuss the issues involved.

CONFIDENTIALITY

Disclosure of a disability is a confidential matter. Students are not required to disclose specific disability information to faculty. The Director of Disability Services may not discuss the specifics of a student's disability or testing results with faculty without the express permission of the student in most cases. All communication regarding a student's disability is confidential and should only be discussed with those persons who have a legitimate need to know.