

Office of Disability Services

Guide for Faculty: Rights and Responsibilities of Faculty, Students, and ODS in Providing Services to the Disabled

Overview:

The Americans with Disabilities Act (ADA) is a federal civil rights statute that prohibits discrimination against people with disabilities. The ADA is designed to remove barriers that prevent qualified individuals with disabilities from enjoying the same opportunities that are available to persons without disabilities.

The basic requirement as it applies to institutions of higher education is: All programs, services, or facilities must be accessible if alternatives are effective.

- **It does not require making each facility accessible if alternatives are effective.**
- **It does not require a fundamental alteration of programs or services.**
- **It does not require undue financial or administrative burden.**

I. Faculty Rights and Responsibilities

Faculty Have the RIGHT To:

Documentation

Any faculty who is approached by a student requesting accommodations is entitled to verification of a student's eligibility for requested accommodations. Such verification will be in the form of a letter from ODS and delivered by the student.

The Office of Disability Services is the ONLY office designated to review disability documentation and determine eligibility for appropriate accommodations. Faculty should not review this documentation.

Accommodations

**Expect the student to initiate accommodation request
If the student is taking exams at ODS, expect the exams to be administered in a secure and monitored environment.**

Faculty Have the RESPONSIBILITY to:

Accommodations

Provide accommodations only to students who are registered with ODS and who provide the appropriate accommodation letter. It is NOT your responsibility to provide accommodations to students who are not registered with ODS.

Please Note: Accommodations do NOT apply retroactively. If the student neglects to request accommodations from his or her instructors, those instructors are under no obligation to retroactively correct for this. Accommodations apply to present and future, not past, events.

Act immediately upon getting a student's request for accommodations by contacting ODS if you are unsure about the request.

If a student is testing at ODS you are responsible for getting the exam to the ODS office PRIOR to the exam date and time. You can get the exam to us by fax, email, or hand delivery. A student should never be sent with the exam.

Identify and establish essential functions, abilities, skills, and knowledge of course material and evaluate students on this basis. Students with disabilities should meet the same course expectations as their peers. We strongly recommend this information be addressed on the syllabus.

Confidentiality

Treat and protect all disability-related information as confidential medical information. For example, keep all printed items such as accommodation letters and test contract or emails regarding student disability information in a secure location.

Communication

Clearly communicate testing instructions with the student and with ODS by completing the test contract the student provides to you.

Consult with students and ODS in providing appropriate accommodations.

Be willing to negotiate a different testing time to accommodate a student's class schedule, if necessary.

Please Note: Faculty DO NOT have the right to ask students if they have a disability, to single out a student with a disability, or to inquire about the nature of a student's disability. If students choose to disclose their disability, this information should be treated confidentially.

II. Student Rights and Responsibilities

**Students have the RIGHT to:
Confidentiality**

Accommodations

Receive appropriate accommodations in a timely and respectful manner from faculty and ODS. Students should have the opportunity to meet privately with faculty to discuss their needs.

Students have the RESPONSIBILITY to:

Documentation

Provide the appropriate medical documentation to ODS.

Confidentiality

Go to the instructor's office hours or make an appointment with the instructor to facilitate privacy when requesting accommodations.

Accommodations

Initiate request for specific accommodations in a timely manner, preferably at the beginning of the semester.

Follow procedures with ODS and faculty in order to receive appropriate accommodations.

Notify faculty/ODS immediately when an accommodation is not being provided completely or correctly.

Provide for his/her own personal living needs or other personal disability-related needs. For example, coordinating services of personal care attendants or requiring homework assistance are a student's responsibility and not the responsibility of ODS.

Communication

Act as his/her own advocate. Work with counselors on developing skills necessary to advocate their specific needs and accommodations to faculty. ODS will intervene only when attempts to communicate have failed.

III. ODS Rights and Responsibilities

ODS has the RIGHT to:

Receive the appropriate documentation from the student prior to the accommodations being initiated.

Deny academic accommodations/services if appropriate documentation has not been provided.

Deny unreasonable academic accommodations, adjustments, and/or auxiliary services. Accommodations cannot impose undue hardship to, or fundamentally alter, a program or activity of the college.

Expect students and faculty to work together with ODS to facilitate accommodations.

ODS has the responsibility to:

Documentation

Collect, evaluate, and confidentially store documentation and determine eligibility status in a timely manner.

Confidentiality

Treat and protect all disability-related information in a confidential manner.

Meet with the student privately in an accessible location to discuss disability-related needs.

Accommodations

Administer exams as directed on the testing form in a secure and monitored environment.

Provide appropriate accommodations in collaboration with the instructor and the student.

Provide print materials in accessible formats once the faculty member and student identifies them.

Advocacy

Assist students with disabilities in understanding their strengths and functional limitations.

Provide them with skills to become self-advocates and to advocate for those who are unable.

What to put on the course syllabus:

ODS recommends that each course syllabus contain a statement reflecting compliance with the ADA. Please use the following statement:

“Students with disabilities who believe they may need accommodations in this class are urged to contact the Office of Disability Services, 126 Conference Center (482-5252), as soon as possible to ensure that such accommodations are received in a timely manner. Accommodation letters from ODS MUST be presented to faculty in order to receive accommodations.”