



NEW YORK STATE DISABILITY SERVICES COUNCIL

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Resource Guide for Post-Secondary Disability Services Offices

3rd Revision
Spring 2018

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This “NYSDSC Resource Guide for Post-Secondary Disability Services Offices 3rd revision (Spring, 2018)” is provided for your personal education and information. Therefore, it cannot be construed as a legal document or contract, nor does it supersede applicable Federal, State, or local laws. Nothing in this Resource Guide should be construed as legal advice or a legal opinion.



VISION STATEMENT

The vision of New York State Disability Service Council (NYSDSC) is to provide professional expertise within disability service in higher education in New York State while proactively facilitating change for the benefit of the disability community in higher education.

CORE VALUES STATEMENT

The core values of the New York State Disability Service Council reside in our deep regard for diversity and inclusion. We believe in enhancing the professional community that we serve through advocacy and professional development with specific focus on leadership, accommodation management, and assistive technology, via state-wide collaborations and initiatives. As an official state affiliate of the Association of Higher Education and Disability, the NYSDSC proudly endorses the values and mission of AHEAD.

PURPOSE STATEMENT

The purpose of NYSDSC is to:

- Strengthen the professional knowledge and expertise of the membership
- Be a resource for affiliated campus communities
- Advocate for the equity and dignity of students with disabilities in New York State
- Address current and emerging issues with respect to disability, education, and accessibility
- Facilitate communication for system change and universal access

INTRODUCTION

Hello, Colleagues:

On behalf of the New York State Disability Service Council (NYSDSC), we would like to welcome you to the 3rd Revision of the “NYSDSC Resource Guide for Post-Secondary Disability Services Offices” Whether you are new to the Disabilities Services profession or an experienced professional, work at a public or an independent college, this Resource Guide will be a ready source of information and guidance in the work you do providing support for your students with disabilities and leadership for your college community.

We will use the following terms throughout this Guide for the sake of consistency:

- ✓ “College” to describe any degree-granting postsecondary higher education institution in New York State
- ✓ “Disability Services Office” to describe the individual or place at a college charged by the college to make access and accommodation decisions for the students enrolled at the college
- ✓ “Accommodations” to describe any modifications or adjustments made by a college to its policies, practices, or procedures through an established process to avoid discrimination on the basis of disability against a qualified student with a disability.

The work of the postsecondary disability services profession – our profession – is continually evolving as higher education itself evolves. We will experience this evolution differently within our own colleges and with our own student populations. However, as you read this Resource Guide, you will find that there are components of our work that are common no matter what our individual environments may be. Providing access – curricular, co-curricular, physical, or technological – is the institutional responsibility of each college. The day to day function of making decisions about accessibility and accommodations for students may be assigned to the Disability Services Office, but it is a responsibility shared by everyone in the college.

The professionals in Disability Services Offices across New York State, be they a staff of one or a staff of dozens, are doing important work during interesting times. How fortunate we are to have the NYSDSC network of colleagues as a resource and support for all the questions and situations that arise in our work. Remember, you are doing good work to help our students with disabilities reach their goals. You are not alone in this work. Please feel free to contact any of the committee members who collaborated on this 3rd Revision of the Resource Guide with any questions or concerns.

Warm regards

The Members of the 3rd Revision Working Group
May 2018

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The original version of the NYSDSC Resource Guide for Post-Secondary Disability Services Offices was called the “New Professionals Manual”. It was created in 2003 through the foresight and leadership of Kathy Hoffman (Erie Community College).

The following NYSDSC members formed the Working Group who took responsibility for updating and revising the NYSDSC Resource Guide to this 3rd Revision (effective August 1, 2017):

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If you are not yet a member of the
NYSDSC,
now is the time to join.
Consult our website at WWW.NYSDSC.ORG
for details.

***Starting at the Beginning:
Pertinent laws for post-secondary Disability Services Offices (DSOs)***

DSO personnel cannot begin to provide equal access, accommodations, or services to students with disabilities without a basic understanding of the pertinent laws and legislation that apply to the post-secondary environment. What we do is provide legally mandated services that “open the door” so that students with disabilities at our institutions have the same access to programs and services as students without a disabilities. The purpose of the laws is not to give students with disabilities an unfair advantage over students without disabilities, but rather to eliminate barriers - physical, attitudinal, or programmatic - that would deny students with disabilities equal access.

<i>Section 504 of the Rehabilitation Act of 1973</i>

Section 504 states that “no otherwise qualified person with a disability in the United States ... shall, solely by reason of ... disability, be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity receiving federal financial assistance ...

Section 504 is civil rights/anti-discrimination legislation that applies to any entity (business, organization, school etc.) that receives ***federal funds*** of any kind. The purpose of Section 504 is to give qualified individuals with disabilities ***equal access to programs and services available to the non-disabled person***. It has different sub-parts that apply to elementary, secondary, and postsecondary education.

- Section 504 Subpart D applies to K-12. In the K-12 system, 504 plans are written for students with disabilities who do not need special education services as defined under the Individuals with Disabilities Education Act (IDEA), but are still in need of academic or programmatic adjustments.
- Section 504 Subpart E applies to postsecondary education.

While they are both referred to as “Section 504,” by professionals in both areas, they have different implementing regulations and therefore do not transfer from K-12 to postsecondary.

The regulations for Section 504 give us the federal definitions for postsecondary education.

A ***qualified student with a disability*** is one who

- can meet the admission requirements for both the college or university and the specific program of study which she or he wishes to pursue
- voluntarily self-identifies with the DSO on campus

- provides adequate documentation of a disability to the DSO in order to support the need for accommodation of that disability. By providing documentation the individual also invokes his or her right to protection from discrimination.
- may request accommodations for the identified disability based on the documentation that details the current impact of the disability on everyday life functions.

Under the provisions of **Section 504**:

- Colleges and universities that receive federal assistance such as PELL grants, ROTC, federal grant money, etc., may not discriminate on the basis of disability in the recruitment, admission, educational process or treatment of students in any of the institution's programs, services, or activities.
- Colleges and universities **may not**:
 - limit the number of students with disabilities who are admitted.
 - make pre-admission inquiries as to whether or not an applicant has a disability. (There are limited exceptions to this rule; however, students are never REQUIRED to disclose during the admissions process.)
 - use admissions tests or criteria that inadequately measure the academic qualifications of students with disabilities because special provisions were not made.
 - exclude qualified students with disabilities from any course of study, program, service or activity.
 - establish rules or policies that might adversely affect students with disabilities.

Americans with Disabilities Act of 1990 (ADA) and as Amended (ADAAA) in 2008

The ADA extends the provisions of Section 504 to private entities such as private colleges, regardless of whether or not they receive federal funding. Special exemptions exist for **solely** religiously funded institutions. Substantially, however, the ADA requires the same things from colleges and universities as does Section 504.

The Americans with Disabilities Amendment Act of 1990 states:

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of services, programs, or activities of a public entity, or be subjected to discrimination by any such (public) entity.

- Qualified individual with a disability means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a

public entity. The term individual with a disability does not include an individual who is currently engaging in the illegal use of drugs, when the public entity acts on the basis of such use.

The term "disability" means, with respect to an individual

- a physical or mental impairment that substantially limits one or more major life activities of such individual;
- a record of such an impairment;
- being regarded as having such an impairment

The phrase "is regarded as having an impairment" means

- has a physical or mental impairment that does not substantially limit major life activities but that is treated by a public entity as constituting such a limitation;
- has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or
- ... is treated by a public entity as having such an impairment

Disability means, with respect to an individual

- a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

The term *disability* does not include

- transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;
- compulsive gambling, kleptomania, or pyromania; or
- psychoactive substance use disorders resulting from current illegal use of drugs.

The phrase *physical or mental impairment* means

- any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine;
- any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
- includes, but is not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV

disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

The phrase *physical or mental impairment* does not include

- homosexuality or bisexuality

Major life activities include, *but are not limited to*

- caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working
- the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions

Substantially limited in performing a major life activity under the ADA means that an individual

- must have an impairment that prevents or severely restricts the individual from doing activities that are *of central importance to most people's daily lives*.
- an impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability.
- an impairment that is episodic or is in remission is a disability *if it would substantially limit a major life activity when active*.

**THE DIFFERENCES IN LEGAL RIGHTS AND RESPONSIBILITIES IN
K-12 AND POSTSECONDARY EDUCATION**

	K-12 Education	Postsecondary Education	Practical Application
Laws	<p>IDEA: Individuals with Disabilities Education Act 504: Section 504 of the Rehabilitation Act of 1973. ADA: Americans with Disabilities Act of 1990 ADA Amendments Act 2008</p>	<p>504: Section 504 of the Rehabilitation Act of 1973, particular reference to Subpart E ADA: Americans with Disabilities Act of 1990 amended 2008</p>	<p>Section 504(e) and ADA are about nondiscrimination and access for eligible individuals with disabilities which is a different standard than what is covered by Special Education Services in K-12.</p>
Laws' Intents	<p>IDEA: To provide a free, appropriate public education in the least restrictive environment to identified students with disabilities, including special education and related services. 504/ADA: To ensure that no other-wise qualified person with a disability is denied access to, benefits of, or is subject to discrimination solely on the basis of disability.</p>	<p>504/ADA: To ensure that no other-wise qualified person with a disability is denied access to, benefits of, or is subject to discrimination solely on the basis of disability.</p>	<p>IDEA meets the specific Special Education needs of the student and modifies the program accordingly. 504(e) and ADA allow eligible individuals with disabilities equal access to programs, activities and services as their nondisabled peers.</p>

	K-12 Education	Postsecondary Education	Practical Application
Laws Apply To	IDEA: All children and youth requiring special education services until age 21 or graduation from high school.	504/ADA: All qualified persons with disabilities who, with or without reasonable accommodations, meet the college's admissions requirements and the specific entry level criteria for the specific program and who can document the existence of a disability as defined by Section 504.	Having had received services under IDEA, a student should not assume that they are automatically qualified to receive services in a college setting under ADA/504.
Disability Definitions	IDEA: A list of 13 disability classification areas are defined in IDEA 504/ADA: the same definition as listed for postsecondary education	504/ADA: A person with a disability is defined as anyone who has: (1) any physical or mental impairment which substantially limits one or more major life functions; (2) a history of such an impairment; (3) is regarded as having such an impairment. ADA also includes HIV status and contagious and non-contagious diseases.	Example) Under IDEA, an emotional disturbance label may or may not result in a diagnosis of a Mental Health Impairment and it may or may not be impactful enough to qualify as a disability.

	K-12 Education	Postsecondary Education	Practical Application
Identification and Documentation Responsibility	School districts are responsible for identifying and evaluating potential students with disabilities. When such a determination is made, the district plans educational services for classified students at no expense to the family.	Students are responsible for self-identification and for obtaining disability documentation from a professional who is qualified to assess their particular disability; cost of the evaluation must be assumed by the student, not the post-secondary institution.	Students must request academic adjustments from the Office of Disability Services and engage in a discussion to determine appropriate services. Requests or documentation sent from third parties do not constitute a request on the part of the student.
Service Delivery Responsibility	School districts are responsible for identifying students with disabilities and providing special education programs and services, including related services, and transition services as delineated in an Individualized Education Program.	Students are responsible for notifying the Office of Disability Services staff of their disability and of their need for reasonable accommodations. Accommodations (not special education) are provided on a case-by-case, as-needed basis in order for students with disabilities to have equal access to the institution's programs, services and activities.	Students must self-identify as a student with a disability and request accommodations in a timely manner. College personnel are not responsible for identifying disabilities.

	K-12 Education	Postsecondary Education	Practical Application
Enforcement Responsibility	IDEA is an entitlement law, enforced by the Office of Special Education and Rehabilitation Services in the US Department of Education. Local enforcement is the responsibility of the NYS Department of Education Office of Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR)	504/ADA: are civil rights statutes overseen by the Office of Civil Rights (OCR) , and the US Department of Justice in conjunction with the Equal Employment Opportunity Commission (EEOC) .	All colleges and universities as well as the K-12 system are required to have appeals processes in place. Self-enforcement of these laws on the part of the institutions is expected.
Advocacy	The parent or guardian is the primary advocate. Students with disabilities from age 14 on must be invited to participate in the IEP process. If the student does not attend, the district must ensure that the student's preferences and interests are considered.	Students must be able to self-identify and discuss their disability and needs in order to work with the DSO staff to implement reasonable accommodations. The Family Educational Rights Privacy Act (FERPA) provides for student privacy.	Students are encouraged to become self-advocates at the college level. Disability Support staff can assist students with the self-advocacy process.

Policies and Procedures

If the US Department of Education Office for Civil Rights (OCR) investigates a Complaint at your institution, among the first things they will ask for are your policies and procedures.

The following article was written, and recently updated (May 2017), by Jane E. Jarrow, Ph.D., President of Disability Access, Information and Support and is copied here with her full knowledge and permission.

Policies and Procedures Guiding ADA Implementation (Excerpt from Higher Education and the ADA: Issues and Perspectives, originally published 1995)

One of the most urgent lessons we have learned in the last 25 years is the importance of written policies and procedures for the institution to use in guiding its response to students with disabilities and the ADA. For purposes of this text, the following working definition of policy and procedure will be used:

- If the statement(s) tells **what** must be done, it is *policy*
- If the statement(s) tells **how** something is to be done, it is *procedure*

Neither definition incorporates information as to **who** shall be responsible or **when** certain actions will take place. These elements can be woven into either policy or procedure as needed. Moreover, sometimes policy and procedure are intertwined, and will be used jointly in the discussion that follows.

There are a number of reasons why written policies and procedures are critical. Development and adherence to written policies/procedures help to demonstrate a good faith effort on the part of the institution to meet its responsibilities to persons with disabilities in an equitable and consistent manner. Review of written policies and procedures can help to identify gaps in the existing compliance mechanism. Policies/procedures that clearly assign authority and responsibility for action help to protect institutional personnel who are operating within the scope of that assigned responsibility. Such documentation also assists individuals with disabilities by detailing the actions they must take to initiate a request for accommodation/support and the protections provided within the system for assuring access.

In discussing this issue with long-time service providers, many have been reluctant to consider putting in writing the policies/procedures they have had in place for some time and that are working well for their students. Usually, this reluctance occurs on behalf of service providers who get a great deal accomplished through informal channels, based on their personal credibility within the institution and their established working

relationship with “key players” at that institution. They hesitate to see things become more formal, either because they fear that strictly spelled out policies/procedures may limit their ability to negotiate a successful resolution on behalf of individual students or because they actually have gotten a great deal done on a case-by-case basis because nobody knew it was happening and they believe some of those options may disappear if they must stand up to the scrutiny of institutional review. Either of these situations may be inherently dangerous to the institution and to the population of students these service providers hope to protect.

If too much of the cooperation and accommodation is based on the personal working relationships and credibility of the key service provider, then a change in personnel may bring an abrupt end to that cooperation. If the service provider were to leave tomorrow, would the individual replacing him/her have equal success in advocating on behalf of students? What if a new faculty member comes into the institution -- one who has no history with the institution or with the service provider -- and questions the actions being taken or the decisions being made? Any mechanism that is based more on the people involved than on clearly defined roles and responsibilities for those individuals may fall apart quickly if the cast of players changes.

On the other hand, if the only reason certain things have gotten done for and with students is because the institution as a whole was not aware of them, the service provider is living with a false sense of security. The Office for Civil Rights would not likely look with favor on a setting in which an accommodation can be had for a student in one area of study but not in another because the Dean of College A is laid back and the Dean of College B is uptight! Moreover, if the activities will not stand up to scrutiny and are not backed by institutional authority and commitment, the ability to call these options into play could disappear overnight when someone does learn of them and orders them stopped. The only assurance of ongoing opportunities and equal treatment for all students with disabilities is to formalize the service providers’ right to initiate these activities.

There can be no single listing of policies/procedures that will be right for every campus to adopt. The determination of level and scope of commitment/involvement (*policy*) must be an individual decision on the part of each institution (or system). The delineation of how various services will be provided or how the support mechanism will operate (*procedure*) will vary dramatically from one institution to another depending on the personnel and resources available for implementation. It may be possible, however, to list areas for which policy/procedure should be developed and suggest elements to be included within those guidelines. The following list is certainly not exhaustive, but may be useful in helping to focus initial efforts to formalize policy/procedure.

A policy reinforcing the institution’s understanding of its responsibility to provide reasonable accommodation should include:

- Specific reference to Section 504 and applicable title (II or III) of the ADA

- Reference to reasonable adjustments/accommodations in order to assure that there will be no discrimination on the basis of disability
- Reference to the broad responsibility for implementation of this policy (i.e., the responsibility of all staff, faculty, and students to adhere to the philosophy of equal access to opportunity)

A policy/procedure as to how someone with a disability declares their need for consideration or accommodation should include:

- Delineation of trigger action on the part of someone with a disability to initiate consideration for accommodation/service/support; a clear statement of responsibility by the student to initiate the recognition process
- Specific reference to person or Office to which the individual with a disability must declare themselves and provide documentation; may wish to delineate form of notification that can trigger action. It may be as important to state what will not constitute official notification as what will! (Is email acceptable? Will a phone call or letter from parent or transfer institution be considered acceptable?)
- General reference to the provision of complete, adequate documentation from “an appropriate source” prior to recognition and consideration as a student with a disability
- (May be appropriate to include) General guidelines for the length of time needed between providing documentation and providing accommodation

A policy as to what form of documentation is required for students with various disabilities should include

- Clarification of the two purposes for providing documentation -- establishing that the individual is a person with a disability vs. establishing that the individual has a need for accommodation; reference to the equal access/nondiscrimination nature of federal mandates
- Reference to evidence which demonstrates that the physical or mental disability creates a substantial limitation to a major life activity to establish eligibility for protection under the law

<i>(Traditional Approach)</i>

- Reference to documentation which demonstrates need for accommodation in order to assure equal access as distinguished from documentation showing the existence of a disability, affording the promise of nondiscrimination. While some institutions have traditionally set timelines on recency of documentation, such practice is open to question for individuals with disabilities that are static (such as blindness) or that are not likely to have altered dramatically in such a manner as to affect necessary accommodation (such as the older adult with a learning disability). By simply stating that the documentation must establish a current need for accommodation, the service provider can use discretion in determining whether age of testing is relevant in establishing need on a case-by-case basis.

- Reference to documentation being provided by an appropriately credentialed professional. While some institutions have chosen to list specific professionals appropriate to provide documentation, it may be safer to leave written policy open to allow for the broad range of professionals involved with the global population of students with disabilities (from medical practitioners to learning specialists) and to allow service providers to use their common sense and good judgment in instances of obvious disability (e.g., a wheelchair user or blind student with a cane or dog guide)

(ALTERNATE approach -- based on AHEAD's 2012 Guidance)

- Reference to information/evidence to be provided through direct interaction between the student with a disability and the service provider (e.g., intake interview, personal or electronic correspondence, and so on) that provides understanding of the student's disability, the functional limitations imposed by disability, history of service/support as a student with a disability, and requested accommodations.
- Reference to the potential need for further information from an appropriately credentialed professional if the nature of the student's disability or the need for requested accommodations cannot be fully established solely through student self-report. The institution should reserve the right to ask for additional information, as needed.

A policy assigning the responsibility for determining disability-related accommodations under typical circumstances should include

- Clear recognition of the individual or Office assigned the authority for making decisions regarding accommodations necessary to provide equal access
- Clear recognition that such responsibility/authority is being assigned by the highest levels of the administration and is undertaken on behalf of the institution

A procedure for requesting/receiving accommodations should include

- Clear indication of specific actions to be taken in requesting accommodation including who the request must come from, how the request is to be made, and to whom
- Indication of the timelines as to when requests must be made and how quickly such requests will be acted on (may vary depending on the type of accommodation)
- Clear indication of how faculty will be notified of accommodations determined to be appropriate and necessary for the student
- Reference to separate procedural statements that define roles and responsibilities for giving/receiving specific accommodations (e.g., testing accommodations, interpreter or note taker services)
- Clear statement as to what actions should be taken by students if the agreed accommodations are not provided appropriately; this may simply involve

reference to separate policy/procedure statements regarding initiating a complaint/grievance

A policy, with appropriate procedures to support this policy, regarding confidentiality of disability-related information should include

- Recognition of the highly confidential nature of disability-related information and of the federal guidelines regarding control and restricting access to this information
- Assignment of responsibility for collecting and holding disability-related information on behalf of the institution
- Discussion of how information regarding disability will be protected and who will have access to confidential files
- Discussion of how information regarding disability that exists in other areas (such as Admissions Office or the Financial Aid Office) shall be safeguarded

A policy/procedure for handling course substitution requests should include

- Delineation of the steps involved in considering substitution requests from initiation through consideration through appeal
- Clear assignment of roles and responsibilities in this process; what must the student do, what input will be sought from the service provider, who shall be involved in considering such a request, and who shall have the final authority in ruling on such requests on behalf of the institution
- Listing of the information that may be requested and considered in the granting of a course substitution including disability documentation, evidence of disability-related need for substitution, justification for regarding the request as reasonable, and/or supporting documentation

A policy/procedure that governs how a student with a disability can be designated a full-time student with less than the traditional full-time load should include

- Assignment of authority to some individual or office within the institution to make such determination (Registrar? Chief Financial Aid Officer? Dean of Students? Other?).
- Determination of information that must be presented to justify the request and the source(s) of that information
- Clear indication that this designation provides the student access to all the rights and privileges of any full-time student at the institution including such things as insurance coverage, living in the residence hall, participation in extra-curricular activities, academic honors such as Dean's List designation, and scholarship/financial aid awards available on the basis of full-time status.

A policy/procedure as to how anyone in the system (students/staff/faculty) may question the granting of a given accommodation should include

- Clear delineation of steps in requesting reconsideration of accommodation decisions/action; clarification of the party to whom initial challenges can be made (e.g., faculty should ask questions of service providers, not students!)
- Timelines for raising question as to appropriateness of assigned/provided accommodation
- Individual(s) who shall have responsibility for reconsideration of disability-related actions/decisions and their scope of authority in altering those actions/decisions
- Clarification of ongoing responsibility during the time needed to complete the process of reconsideration (i.e., accommodation is to be provided until decision to the contrary is made)

A policy that establishes the institutional commitment to access to technology and technological-based educational opportunities for persons with disabilities and a procedure that delineates proactive efforts to accomplish this goal. At a minimum, this policy should include

- A CLEAR COMMITMENT ON THE PART OF THE INSTITUTION TO EQUAL ACCESS to technology and to the internet, including the institution's web presence. In other words, the institution articulates its intention that new technology purchases be made with appropriate consideration to access issues. In addition, the institution should make a written commitment to trying to assure that the institutional website and ALL web pages posted there are accessible to people with disabilities.
- CLEAR ASSIGNMENT OF RESPONSIBILITY TO THE INSTITUTIONAL UNIT charged with monitoring technology purchases and policies to insure consideration of disability access
- CLEAR ASSIGNMENT OF AUTHORITY TO THIS INSTITUTIONAL UNIT TO MAKE DEMANDS ON OTHER UNITS AS NECESSARY to assure compliance with both the letter of the law and the spirit of the institutional commitment.

DSO's should also consider whether institutional policies and procedures related to students with disabilities are needed for the following topics:

- Alternate format for textbooks
- Assistive technology (use and location)
- Dining service accommodation requests
- Emotional support animals in the residence halls
- Special housing accommodation requests for residence halls
- If your institution has a testing center – requesting to take an accommodated test in the center
- Policy on academic integrity
- Voter registration (SUNY / CUNY)
- Procedures on Captioning/CART requests (instructor, department and/or campus events)

- Emergency evacuation
- Flexibility with attendance & extensions on assignments
- Note taker “copy of notes” procedure
- Safe lab environment for service animal
- Classroom health-related emergency information: Have a procedure that states how instructors should handle health-related emergencies in the classroom. It is particularly helpful to explain the steps instructors should take when a student has a seizure in class. This procedure should be created in collaboration with campus safety officials.
- Campus-wide emergency information: Be prepared for students, parents, faculty and staff to ask how they receive notification of an emergency whether it is a snow closing, tornado, bomb threat or violent or terrorist incident. It is imperative that as campuses wrestle with these issues that they remember to include individuals with disabilities in their planning and execution. It is also important that not all the planning be reactive—proactive or preventative action needs to be implemented also.
 - Go to the nysdsc.org website to access emergency preparedness materials entitled: *Be Prepared: Emergency Planning for All Hazards, All People, All Stages*. Presented at AHEAD 2007 by L. Irene Bowen, US Dept of Justice - OCR and Emily Singer, Catholic University of America. This information is available with their full knowledge and permission.

Providing access: It is an Institutional Responsibility to at the College

Our Institutions have a responsibility to protect students with disabilities from discrimination solely on the basis of their disability. One way each institution does that is to have offices or services like ours to provide accommodations, *but that alone does not absolve the Institution from discrimination in policies, programs, activities etc.*

The disability service provider on campus, especially at a small campus, is often expected to be an expert in all disability-related issues. Some campuses assign the dual responsibilities for provision of services and legal compliance (504/ADA officer) to the same person.

Consider the case of physical access. You may get calls asking about the number of accessible parking places, the height of urinals, the height of towel racks in bathrooms, the height of emergency phones, etc. You don't have to know all the answers, but it helps to have them at your fingertips so put www.ada.gov on your favorites list on your computer. It will give you quick answers to many of the ADA questions you will be asked, which brings us to the real issue for this chapter: Institutional responsibility for compliance with 504/ADA.

What does *institutional responsibility* mean?

The ADA and Section 504's statute of non-discrimination on the basis of disability applies to **ALL** programs, services and activities of the institution—that's institutional responsibility.

- It means that the Admissions office has materials in alternate formats such as large print.
- It means that your technology staff understand that if students can apply to the college or register or take a class online it means ALL students can do so—including those who use screen readers such as JAWS.
- It means that the accommodations that students would receive in a seated class are available in a comparable manner when the course is through some distance learning format such as online or alternate site.
- It means that Residence Life handles dorm access issues and food service handles dietary accommodations for those with meal plans who need special diets.
- It means that maintenance may need to change cleaning supplies or provide non-latex gloves for employees.
- It means that accessible parking lots and routes of travel get cleared of snow first.
- It means that all college-sponsored events advertise how to request accommodations such as sign language interpreters and are held in physically accessible locations.

- It means that emergency notices are sent out in formats that are accessible to everyone using formats such as auditory, visual, and text alerts.
- It means that, if your campus is used as a community emergency center, there are plans in place that include individuals with disabilities.
- It means that when the college negotiates student insurance policies that they also cover students with disabilities.

YOU don't have to do all these things—but you probably have to help educate the departments and units about their responsibilities to do them.

Institutional responsibility also means differentiating between the letter of the law and the spirit of the law. Example: The Americans with Disabilities Act accessibility regulations require that there be a ramp and a platform to an outside entrance of a building, but those regulations do NOT require that the door have an electric eye or a door opener to make it possible for an individual with a disability to enter with ease. This is a good example of being in compliance with the law without providing access!

Compliance means following the minimal letter of the law.

Access requires going beyond the regulations to the spirit of the law.

Get out of your office and meet the following people at your Institution as soon as you can. You will need to know them and they will need to know you so that you can consult, collaborate, and cooperate for the sake of providing access.

1. The head of the maintenance/buildings and grounds. Be very, very nice to this person because she or he can make your life much easier—or much harder. Think about snow, and moving chairs and tables to classrooms, and wheelchairs with flat tires, and rooms that need lighting changed, and ... you get the idea.
2. The administrative assistants to the President, the Provost, the Dean of Students, and the Academic Deans. They will know who is responsible for what area, who oversees which personnel, and can facilitate making appointments.
3. Get to know Security or Campus Police and the Health offices. You want them to treat students with disabilities with respect and know the reasons for some behaviors. There will be situations when you need their assistance RIGHT NOW! Every campus is struggling with safety, notification, legal rights etc. Get to know both of these offices ASAP. Be sure to also include discussion about emergency notifications in your conversations so that students who are hearing impaired or visually impaired are not left out of the loop.
4. The Director of Student Conduct/Judicial Affairs/Behavioral Intervention Team (BIT) are also important contacts. Whatever these offices are called at your Institution, get to know the staff. **Remember, behavior is the yardstick by which all students, regardless of disability, are deemed acceptable for campus participation.** These colleagues can be very helpful intervening with problematic students and giving them a reality check about how close they are to the line.

5. Residence life: If you have dorms, you already know why you need to be close with these colleagues—it will save you many a worrisome phone call regarding students. It is useful to collaborate with the Department of Residence Life to develop a written housing policy for students with disabilities. Be sure to include emergency evacuation procedures. The policy will be a ready resource for Residence Life and the DSO in making decisions about disability-related housing assignments.
6. Library staff: Meet the Library staff so that you can refer your students to particular people when they need help, rather than directing them in general to “use the Library.” Find out what accessibility resources your Library already has in place. so that you are not using the DSO budget to obtain a duplicate resource.
7. Campus computer technology staff: These colleagues should be among your first contacts. You want JAWS installed and Zoomtext to run? You need the computer upgraded and need a 25-inch monitor in the lab? You say you have a virus or your printer just died? A student needs internet access in the dorms? You get the idea.
8. Campus Bookstore Staff: Many of your students may have book vouchers through ACCES-VR. Bookstore colleagues may be able to help you clear up student questions about using their vouchers for book purchases.
9. Faculty. Get out and get to know faculty as often and as soon as you can. It is easier to work through concerns about students, access, or accommodations with someone who already knows you than it is to do so with a stranger.
10. Student Government/Student Activities: They ARE the students. They may be able to help with activities and funding that you can’t handle with your departmental budget. Students also can voice criticisms and complaints that you can’t because you work for the Institution.
11. Dean of Students/Student Affairs: Whatever this department/division/office is called at your Institution, it probably encompasses several other offices. You cannot be everywhere and there will be issues with some of the students who work with your DSO office. These are colleagues who also have expertise helping students to deal with difficult situations. The goal in working with these colleagues is to make certain that every office holds students with disabilities to the SAME standards as other students without disabilities - not more and definitely not less.
12. Advisement (through faculty or a specific office): Think about the relationship you want to have with advisers. This is a valuable opportunity for you to provide information and support for faculty and staff regarding specific disabilities that will help them better assist students. Also, they are frequently the first to realize a student has a disability and can refer them to your office. It is a mutually beneficial relationship.
13. The President of the College: Take advantage of opportunities to meet the President, hear him/her speak at meetings, read information sent out from the President’s office, introduce yourself to the President.

14. Your immediate Administrative Assistant and Office Staff – No explanation needed! No one can support your DSO Vision and Mission better or more sincerely. These people are your DSO ambassadors. Respect them.
15. Registrar's and Financial Aid office staff: These colleagues are your natural resources for help and advice regarding priority registration, full time status for part time students; moving classes to accessible sites, processing all those applications and figuring in disability-related expenses and helping students determine their options when it comes to Aid for Part Time Students (APTS) versus part time TAP versus accumulating credits to earn a full TAP award — not to mention ACCES-VR or NYSCB!

Obviously, this list is not exhaustive, nor do the titles necessarily reflect the organization chart of your Institution. The point is to reinforce the concept of Institutional responsibility. Accessibility is a shared responsibility.

<i>College or University Rights and Responsibilities</i>

Colleges and universities have the right to:

- Maintain academic, admissions, conduct, and graduation standards.
- Establish reasonable and non-discriminatory policies and procedures regarding students with disabilities and the provision of services
- Require that a student with a disability provide current documentation to verify the need for accommodations, academic adjustments, and/or auxiliary aids or services. Current documentation does not need to be “written” – it can be observable. (Example – a student comes in with her hand in a cast and requests a note taker and extended time to take her tests. Requiring her to bring in documentation that her hand is broken is unnecessary in this instance for a temporary accommodation.)
- Discuss a student's need for reasonable accommodations, academic adjustments, and/or auxiliary aids with the professional source of his documentation with the student's signed consent authorizing discussion.
- Select among equally effective and appropriate accommodations, adjustments, and/or auxiliary aids for each student on a case-by-case/course-by-course basis.
- Deny a request for accommodations, adjustments, and/or auxiliary aids or services if:
 - the request is unreasonable or inappropriate, and/or
 - the request is not made in a timely manner.
- Refuse to provide an accommodation, adjustment, and/or auxiliary aid that:
 - poses a direct threat to the health and safety of others;
 - constitutes a substantial change or alteration to an essential element of a course or program;
 - fundamentally alters the nature of the service provided; and/or
 - poses undue financial hardship or administrative burden on the institution.

Colleges and universities have the responsibility to:

- Review and revise institutional, programmatic, employment and other policies and procedures to assure that they do not discriminate against qualified individuals with disabilities.
- Ensure that the institution's courses, programs, services, jobs, activities, and facilities, when viewed in their entirety, are offered in the most integrated and appropriate settings based on a review of what the law requires.
- Provide information regarding policies and procedures to students with disabilities in a timely manner and assure its availability in accessible formats upon request.
- Evaluate students on their abilities, not their disabilities.
- Provide reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids for students with documented disabilities after a timely request by a student. It may be appropriate depending on the nature of the request, the cost involved, or other variables to have the request put in writing by the student so that there is an official record of it.
- Maintain appropriate confidentiality of records and communication concerning students with disabilities except where there is a legitimate educational need to know in order to achieve appropriate purposes.
- Develop and disseminate information about how to file a grievance if an individual feel that she/ he has been discriminated against due to disability.

More specifically, institutions have the responsibility to:

- a) Assist students with disabilities who self-identify and meet the college's or university's criteria for eligibility in receiving reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids determined on a case-by-case/course-by-course basis.
- b) Ensure that the handling of information regarding an individual's disability be in compliance with all federal and state mandates regarding such information.
- c) Inform students with disabilities of the college or university policies and procedures for filing a formal grievance both internally and/or through external agencies (for example the US Department of Education Office for Civil Rights).

Questions and Answers

Question 1: Who should pay for accommodations?

Part 1 Answer:

It is an Institutional responsibility to pay for accommodations. What matters is that your institution and all its component parts recognize that there is a legal requirement that accommodations be made, and then establish some sort of mechanism to make accommodations achievable in a timely fashion. **The institution has the ultimate responsibility; how it chooses to fulfill that responsibility is the decision of the**

administration. The point is that there is no one size fits all answers to these or most of the other issues you will face; the solution will depend on how your institution operates.

Part 2 Answer:

On occasion, an administration may want to make a case that providing an accommodation will create an undue financial hardship or undue administrative burden. After the Rehabilitation Act was passed in 1973, this case was made by postsecondary institutions all over the country. The then Secretary of Health and Human Services (precursor to the Department of Education) responded thus, "We have never before put a price tag on the cost of civil rights we do not intend to start now." The point has come up several times in the courts and in complaints investigated by the Office for Civil Rights (OCR).

- SUNY/CUNY members: Ours are public institutions. If a complaint or a lawsuit is filed and the defense argument of the institution is cost, they are going to lose. The court/OCR will look not only at the financial resources of the institution, but also the SUNY or CUNY system and ultimately, the budget of the state of New York. They will go to the deepest pockets. Both the courts and the Office for Civil Rights (OCR) have made it clear that a public institution will never succeed with that claim.
- Private institutions, you may have a little more latitude here, but it would be a very uphill battle. Independent colleges and universities are held to a slightly different standard but the rule of thumb is "readily achievable". You may not have to install an elevator but the more common accommodations of alternate format, computer access, interpreters, accessibility software or hardware etc. are inescapable.

All of us can look to whatever resources are at our institutions such as endowments, foundations, etc. or ACCES-VR / NYSCB, VA, Educational Opportunity Program (EOP), Reader's Aid etc. to help defray the costs but the ultimate responsibility still falls with the institution.

Question Two: Does the institution have a legal responsibility to make accommodations outside the classroom?

Answer:

Yes, it does. Section 504 specifically states **all** program and activities. For example, if a campus has dorms and requires all freshman and sophomore students to live in the dorms, a student with a disability who is qualified to attend the institution must live in the dorm (unless of course the accommodation is that the student NOT live in the dorm!).

The dorm must be accessible to a student and any family or friends who might reasonably be expected to visit the student. However, that student must follow the college's procedure for applying for housing, including special requests for housing assignments such as a private room. Having a disability does not automatically allow students to "move to the head of the line" or to disregard timelines for services. Like all accommodations, the request must be reasonable, must be made in a timely fashion and must be supported by documentation from an appropriate professional.

Very little about what we do is black and white, and that is certainly true of issues related to residence life. The best advice for when you have a question is to call a colleague at a campus that has residence halls and get some input from someone with more experience.

Question Three: Do accommodations extend to sports, clubs and other extracurricular events?

Answer:

Refer back to Section 504, which states that any qualified person with a disability can participate in any program or activity of the institution.

- Consider the example of a student with a disability who wants to play on an intercollegiate sports team. The student must meet two sets of eligibility criteria: eligibility to be admitted to the college and eligibility standards of the athletic administrative body i.e. National College Athletic Association (NCAA governs 4 year colleges) or the National Junior College Athletic Association (NJCAA governs 2 year colleges). These organizations establish standards for academic eligibility in addition to physical/health requirements. Both organizations have websites where anyone who is interested can access the eligibility requirements. If a student with a disability meets both the college and the athletic eligibility requirements and accommodations are required, then accommodations must be provided. The deaf student will probably require interpreters for practice and games—both at home and on the road. How you meet that need depends on how creative you can be.
- Let's consider clubs and activities: If it is an activity of or sponsored by the institution, the individual with a disability must have a mechanism to request accommodations. It is also appropriate to require a timeframe for requesting accommodations. Requesting an interpreter or a special meal for an event that is the next day is unreasonable. However, when accommodations are reasonable and requests are made in a timely fashion, they must be provided. All activities must be held in locations that are physically accessible. If transportation to an event is provided, transportation must be provided for an individual who uses a wheelchair. Interpreters should be scheduled for any major lecture or conference including commencement and convocation. When food is served, alternatives must be made available to individuals with dietary restrictions.
- Notices of events are usually posted on bulletin boards, but must also be publicized in alternate formats such as a telephone activity line, online and in other formats that allow maximum access to information and events.
- Other frequently overlooked areas include: field trips, internships and co-ops and foreign exchange programs where the student receives academic credit from a US college or university for the experience.
- Think about any high school students who are taking college courses at your Institution. Do they receive accommodations under IDEA or Section 504 Subpart E? The answer to this one may come down to whether the student is paying college tuition for a course that will become part of an official Institutional

transcript. If so, it is clearly a college course and accommodations may be required. There may be a situation of students taking college courses in their high school but who need the college text in alternate format. The high school may not be able to acquire the text, so your DSO may need to assist in this situation. Some students take courses for dual high school and college credit. In this instance, the legal basis for accommodation may depend on where the course is being taken - at the high school or the college.

These are situations where a question posted to the NYSDSC listserv may bring you advice and guidance from those who have experience with the issue.

Our students: History and Information

As the end of summer draws near, college-bound students everywhere experience excitement and anxiety. People are affected by their hopes and fears, as well as their personal and collective histories. In a chapter about students with disabilities, it is important to recognize that a history of disability rights, support services, and even definition, have been evolving over little more than the past fifty years. The population of college-bound students has also changed considerably during that time. Consideration of this history and its impact on human experiences can provide a basis for better understanding our students, and ourselves as we serve them.

Arriving with a past

Most new students feel some nervous excitement about the prospect of beginning a college program. Some students with disabilities will have added concerns about the start of their college endeavor because of chronic learning difficulties, or physical / medical / psychological problems that make doing routine tasks difficult or cause debilitating illness. They may worry about how these issues will impact their ability to achieve their educational goals. DSO professionals may also experience dissonance when they begin working with a variety of college students with disabilities:

If either student or professional was born/schooled after 1990, they may have experienced a public-school environment / culture in which the following laws have always existed:

Section 504 of the Rehabilitation Act of 1973 (non-discrimination on the basis of disability).

EAHCA: The Education for All Handicapped Children Act 1975 (free and appropriate public education for students with disabilities)

IDEA: Individuals with Disabilities Education Act 1990 (individualized special education programs in an inclusive education setting in the least restrictive environment)

ADA: Americans with Disabilities Act 1990 (equal access to public accommodations)

Traditional-age undergraduate students arrive at college assured, via this legal history, that they are entitled to equal access. The non-traditional “older” student and / or professional in their mid-thirties does not have this experience. Students with learning disabilities may not have been identified until the late elementary grades, if then. Students / professionals in their mid-forties had progressed through the K-12 years before the implementation of IDEA. Those students / professionals in their fifties recall when only the students with the most severe cognitive disabilities would receive specialized educational supports in the school building; always in a self-contained setting and often in isolated classrooms.

These various student backgrounds can feel disconnected from current educational practices of access and inclusion. While current practice has been hard fought for and

achieved, it has always been imperfect in its evolution and implementation. Advocacy and action efforts continue in order to maintain and improve what has been gained, advance where we still lag behind, and establish equality and access where human situations and future innovations require us to do so.

Some common characteristics of college students with disabilities

Age:

Ages can range from seventeen to seventy and beyond.

Background:

Younger students are usually recent high school graduates. Older students are as varied as the general population – mothers, fathers, employees, veteran’s, parolees, internationals, high school graduates or GED recipients, etc.

Numbers:

The numbers of students your office works with will vary based on total enrollment at your institution. Most DSO’s gauge their self-identified student numbers at about 10-15% of total enrollment.

Majors:

Students with disabilities can be found enrolled in every major offered.

Disabilities:

College students present with a broad array of disability issues. Many students have dual diagnosis. Some students were born with disabling conditions, others acquired them later in life. Students also incur “temporary disabilities” such as concussions, broken bones, or pregnancy.

Academic Accommodations / Adjustments:

Students may require adjustments to the standard administration of programs, services, and activities based on the personal impact of their disability on their equal access to such. Temporary accommodations may be requested by a student. Students may find access concerns with regard to any aspect of college life (e.g. physical environment, housing, parking, communication, dietary needs, academic requirements)

Percentage of enrollment:

Students who identify as having disabilities comprise approximately 4-6% of college total enrollment (according to 2010 data).¹ The disability related characteristic means that that they have a physical or mental impairment that substantially limits one or more major life activities.

Disabilities - College students present with a broad array of conditions that impose functional limitations.

Officially (New York State Department of Education) these conditions are categorized as follows:

- A. Neurodevelopmental
 - a. ADHD
 - b. Autism Spectrum Disorder (including Asperger’s Syndrome)

- c. Communication/Speech: communication disorders, including apraxia of speech; articulation disorder; phonemic disorder; stuttering; voice disorder
- d. Learning Disability: includes central auditory processing disorder; disorder of written expression; dysgraphia; dyscalculia; dyslexia; learning disorder NOS; mathematics disorder; mixed receptive-expressive language disorder; nonverbal learning disorder (if student has not been diagnosed on the autism spectrum); processing speed disorder; reading disorder; visual processing disorder
- e. Motor: developmental coordination disorder; stereotypical movement disorders; tic disorders; tremors

B. Sensory

- a. Blind: visual acuity of 20/200 or worse in the better or stronger eye with the best correction; totally blind; or a person with 20 degree or less field of vision (pinhole vision).
- b. Low Vision: visual acuity of 20/70 or worse in the better eye with best correction; a total field loss of 140 degrees or more in the field of vision; difficulty in reading regular newsprint even with vision corrected by glasses or contact lenses; loss of vision in one eye
- c. Deaf: not able to discern spoken communication by sound alone; a hearing loss that prevents one from totally receiving sounds through the ear, whether permanent or fluctuating
- d. Hard of Hearing: partial hearing loss; may be conductive, sensorineural, or both

C. Mental Health

Generally, disorders characterized by dysregulation of mood, thought, and/or behavior. These include anxiety disorders, eating disorders, mood disorders and psychotic disorders.

D. Physical

- a. Basic Chronic Medical Condition: a medical condition resulting in limited strength, vitality or alertness due to chronic or acute health problems...
- b. Mobility: indicates a student who, typically, must use a standard, manual or electric wheelchair or other assistive device (walker, crutches, braces, prosthesis, etc.) to move from place to place...
- c. Orthopedic: a physical disability caused by congenital anomaly, diseases of the bones and muscles, connective tissue disorders, or other causes...

E. Intersystem (existing between two or more systems)

- a. Alcohol/substance addiction and recovery: students who are recovering from drug or alcohol or substance abuse or who are in substance abuse treatment programs.
- b. Complex Chronic Medical Condition: a medical condition that significantly affects multiple systems of the body...
- c. Traumatic brain injury: an injury caused by an external physical force (concussion) or from certain medical conditions (aneurysm, anoxia brain tumors, encephalitis, stroke) with resulting mild, moderate or severe disabilities in one or more areas (abstract thinking, attention, cognition, information processing, judgment, language, memory, motor abilities, perceptual, physical functions, problem solving, psychosocial behavior,

reasoning, sensory, speech). The term does not include injuries that are congenital or birth related...

F. Temporary Disabilities

A transitory impairment with an actual or expected duration of six months or less. Examples include bone fractures, sprains, torn ligaments, post-surgical recoveries, significant illness, etc.

G. Multiple Disabilities

a. A student with two or more disabilities, ...For example, students with both ADHD and a Learning Disability ...”

Academic Accommodations / Adjustments

Students may require adjustments to the standard administration of programs, services, and activities based on the personal impact of their disability on their equal access to such. Temporary accommodations may be requested by a student. Students may find access concerns with regard to any aspect of college life (e.g. physical environment, housing, parking, communication, dietary needs, academic requirements)

Contact with the DSO:

Often students make contact with the DSO prior to their first semester at college. However, it is just as common to see students for the first time after the start and throughout the entire semester, including final exams week. Students may also connect with the DSO after one or more semesters, prompted by an event of some kind, a history of underperformance, or at the suggestion of a classroom instructor. DSO's begin the process of serving students whenever students are ready.

How the college student and DSO staff work together

Students will arrive at the college setting with varying degrees of knowledge and life experience about how to address their disability related issues and concerns. Students with disabilities come to the attention of the DSO by various means:

- They or their parents follow through on the recommendation of the high school to visit the office and make known their needs.
- They have read notices on the admissions application or the college website recommending that they seek out the office to discuss their needs.
- They have called the office, or sent documentation, and provided a means for the DSO to contact them.
- They have attended a college Open House and learned about the function of the office and how to make needed arrangements.
- The statement on the teacher's syllabus reminded them to seek out the DSO.
- They have been referred to the office by some college office, teacher, or other entity (even a classmate).
- They have been walked to the office by some college office, etc.

- They remember to come to the office at some point during the semester, often just before mid-terms or final exams, to request testing adjustments.
- They seek us out after an unsuccessful semester.

Once a student has made arrangements to meet with the DSO staff to discuss disability related adjustments, our role is to discuss with the student their disability related concerns and requests for adjustments, determine where access issues exist, formalize the accommodation plan, and help the student to learn how to implement their adjustments throughout their enrollment. At times we will need to work directly with academic departments or instructors and other college offices on behalf of students' access issues. Your particular employer / institution may have additional work for you, such as working on student retention, providing some academic advising, administering testing accommodations, and making informational presentations to various faculty, staff, and departments. Each DSO will be different in its make-up, and its "place" in the college.

It is important for a DSO to be well organized and informed around student needs, and to operate in anticipation of these needs. Given the nature of the fast-paced semester schedule, DSO's should do all they can to encourage students to act quickly to address their need for adjustments. Likewise, DSO's must be prepared to address needs and implement effective access supports as quickly as possible.

Our work with students is varied, challenging, and truly never boring. Enjoy the many opportunities you will have to help students learn how to navigate the complex higher education system, become more aware of habits that are helping or hindering their progress, and provide them with resources that can help them to be achieve their goals.

For further reference:

www.nysed.gov; Office of Higher Education (OHE); Projections: ORIS:NYSED; Reports; SUNY. Accessed 4/24/17.

New York State Education Department. "Enrollment of College Students with Disabilities Academic Year July 1, 2015 – June 30, 2016". NYSED-2H2 Form_16_revised 9.6.16.docx, pages 2,3.www.nysed.gov. Accessed 4/25/17.

Eligibility for college admission in NYS

Eligibility v Entitlement

Think back to the information in Chapter One regarding the IDEA. Every child in the United States is *entitled* to a free public education in the least restrictive environment.

Parents sometimes assume that, because SUNY is the NYS public postsecondary system, the IDEA still applies for students with disabilities attending a SUNY college. However, it does not.

IDEA's jurisdiction is wholly contained in the K-12 system and ends when the student in special education receives a local or Regents diploma or ages out of the educational system at age 21.

Individualized Education Programs v. Individualized Education Program Diplomas:
An Individualized Education Program (IEP) is a written document for an education plan developed for public school students in need of special education. It details how the school district personnel will meet the student's learning needs. The IEP is developed and written by a team of teachers and other professionals. Each plan is reviewed and updated annually.

It is important for DSO personnel to understand that a student having an Individualized Education Program (IEP) written plan while in high school is not the same as a student being granted an Individualized Education Program diploma when separating from the K-12 education environment.

Many students with IEP written documents for their education plan will pass all their competency exams and earn local or Regents high school diplomas.

However, students with IEP written documents for their education plan who are not able to complete the requirements for a local or Regents diploma may be granted an IEP diploma when they leave the K-12 education environment or age out at age 21.

Students who have an IEP diploma are non-high school graduates and must therefore follow the requirements of non-high school graduates when applying to college or registering for courses. Students who are granted an IEP diploma have the legal right to remain in their school district until age 21 to pursue completion of local or GED diploma requirements or other goals on their Individualized Education Program. Students who complete the local or GED requirements are then high school graduates and are entitled to the same rights and privileges as any other high school graduate.

Career Development and Occupational Studies Commencement Credential (CDOS)

Students who earn *only* the CDOS without also earning a local or Regents diploma are *not* high school graduates and are *not* eligible to matriculate as a college or to receive financial aid. The only way these students can matriculate (and receive financial aid) is to (1) earn a local or Regents diploma – they have the right to stay in school through the school year in which they turn 21, or (2) earn a high school equivalency via TASC (Test Assessing Secondary Completion) or GED (General Equivalency Diploma), or (3) earn a high school equivalency through a 24-credit program available at a postsecondary institution.

While taking the 24 specified credits, they must pay out-of-pocket and are not matriculated. These credits, however, may be used toward their college degree after they have received their High School equivalency diploma. (The 24-credit program high school equivalency has a \$10 processing fee and the credits are certified by the participating postsecondary institution.)

Eligibility

To be *eligible* for admission to a college or university, all students applying to postsecondary institutions must be able, with or without accommodations, to meet the entry criteria for the institution and then the academic program they wish to pursue.

Whether a potential student wants to attend a NYS 4-year institution or a NYS open enrollment institution, base eligibility for **admission to the institution** is clear cut: If a potential student does not have a high school diploma or TASC/GED or previous matriculated transferrable college credits, that student will not be admitted. That is NYS Education law and is non-negotiable.

New York's community colleges may not impose other admissions standards for their sponsoring counties' residents who have not yet attended college. Community colleges may impose other admissions standards for NYS applicants who are not residents of their sponsoring counties and for transfer students regardless of residency.

Four-year institutions may impose other admission eligibility requirements on all applicants.

Additionally, both four-year institutions and community colleges may have different eligibility requirements for specific academic programs.

TAP Coach - Satisfactory Academic Progress

DSO personnel may get questions about financial aid from prospective students and their families. It is best to refer these questions to the staff in the Financial Aid office at your institution. It is important to know that these regulations change frequently and consultation or referral to financial aid professionals is the best option. What NYS disability services professionals do need to know is that, in NYS, the Tuition Assistance Program (TAP) has a special carve out so that students with disabilities, registered with

the disability services office on their campus, may receive TAP even though they attend for fewer than 12 credit hours. This is known as “ADA TAP.” For more information regarding TAP, click the link below:

<https://www.hesc.ny.gov/partner-access/financial-aid-professionals/tap-and-scholarship-resources/tap-coach/12-ada-part-time-tap.html>

Student Housing and Student Conduct

Think back to the advice in Chapter Two: Get out of your office and meet people at your Institution as soon as you can. You will need to know them and they will need to know you so that you can consult, collaborate, and cooperate for the sake of providing access. This chapter will focus on Residence Life and Judicial Affairs / Student Conduct

<i>Residence Life</i>

Special Requests for Student Housing

Ask your colleagues in Residence Life for a tour of the residence halls during a quiet time during or between semesters. Get a feel for what is available as housing for your students.

- What office is responsible for receiving and making determinations about special housing requests? (for example: accessible rooms, single rooms, rooms near bathrooms or kitchens)
- Is the DSO the decision maker? Does the DSO have any role in determining which students get special housing?
- Talk with other colleagues as needed (e.g. Health Services, Counseling, Residence Life) if consultations would be beneficial during the decision-making process to approve or deny a request for special housing.
- Is there a housing policy in place that outlines procedures and details how special housing decisions are made? If not, plan to collaborate with Residence Life colleagues and your Administration to develop such a policy.
- Are your Residence Halls corridor style, suites (how many per suite), townhouses or some other configuration?
- How many accessible rooms do you have? What makes the room “accessible”? (grab bars, shower, doors, etc.)
- Are there some rooms with private bathroom facilities, or are all shared?
- Are kitchen facilities shared? What is available (microwave, fridge, stove)?
- How far are the halls from the academic buildings?
- Does your college provide any kind of transportation from the halls to academic areas? If so, where are the pick-up points?
- Is there accessible parking near Residence Halls?
- Check the rate of occupancy on campus. Are the halls overbooked?
- Make sure you let Residence Life know that they cannot charge extra for a single room if it is considered an accommodation.
- Keep in close touch with Residence Life as they make room assignments in the Spring for the Fall semester. And in the summer for incoming freshmen and transfer students.

KEEP RECORDS!!

- Make sure the DSO knows who is in special housing, the type of housing, and why.
- Contact all students in special housing early in the Spring semester to inquire about their plans for the next year. Remind them to indicate the need for special housing on their Residence Life agreements for the next year. It is also a good idea to contact Residence Life yourself and send them a list of continuing students.
- As college acceptances come in, make sure you are telling students how to apply for special housing and get documentation early. This will be very helpful to Residence Life and helpful in maintaining a good relationship.
- Indicate the type of HOUSING needed...not the disability:
 - Needs single room
 - Single room in Suite is okay
 - Single room as close to the bathroom as possible, or roommate okay, but needs to be close to bathroom.
 - Wheelchair accessible room and bathroom
 - Quiet area in Res Halls (often at the end of a hall-away from doorways).
 - Strobes or special alarms
 - Lower floor or with elevator
 - Nearest to academic buildings/shuttle stop/accessible parking.
- Make sure the DSO clearly explains the procedures for considering a request for special housing, and the reason the student's request is being approved or denied

Judicial Affairs

Student Code of Conduct

- Meet with your colleagues in the Judicial Affairs office. The DSO needs to have a good understanding of the Student Code of Conduct.
- Students with disabilities are held to the same standards as any other student.
- Students cannot use their disability as an excuse for their behavior.
- Read your institution's Student Code of Conduct and have a discussion with the Judicial Affairs Officer about it. DSO staff should help students and their parents understand the expectations during their initial meeting. Consider including this information on the DSO webpage.

The information below is taken from a 2010 Office of Civil Rights (OCR) letter ruling on a case regarding a university taking disciplinary action against a student with a disability who engaged in behavior that the University considered to violate its Conduct Code. The information noted highlights what standards apply to disciplining a student with a disability.

- Like any other students, a student with a disability may be disciplined if he or she fails to meet a university's technical standards [e.g. conduct standards], so long as the discipline is not a pretext for discrimination (e.g. holding the student with a

disability to a higher conduct standard than other students, fabricating examples of misconduct to dismiss a student, or holding a student accountable for non-violent misconduct directly related to an authorized but undelivered accommodation).

Both Title II and Section 504 permit a university to establish reasonable rules to maintain a safe and orderly environment. Title II and Section 504 also allow a university to discipline a student for misconduct, even though that misconduct may have resulted from the student's disabilities, if the behavior violates an essential conduct code.

- For the purposes of Title II and Section 504, a student's disability generally does not play a role in the disciplinary process except in three limited circumstances. The first exception is where the student's inability to comply with the conduct code resulted from the university's failure to provide necessary academic adjustments or auxiliary aids and services.

The second exception is where, as part of its regular disciplinary process, a university takes into account mitigating situational factors, such as the loss of a parent; if such factors are taken into account, a student's disability should be considered as a mitigating factor. Third, a university cannot treat a student with a disability worse than other students who also violated the code of conduct; i.e. a university may not treat a student differently based on that student's disability.

Alternate Format Textbooks

Heartfelt and sincere thanks to Sharon Trerise, currently from Syracuse University, for researching and writing this chapter.

Who needs Alt Format books and other course materials?

Students with learning disabilities that impact word decoding and reading comprehension, students who are blind, students who are visually impaired and cannot utilize standard print, and students with physical disabilities that limit their ability to hold a book or turn pages can all benefit from access to textbooks and other print-based course materials in alternate formats.

Alternate formats may include:

E-text (Electronic text which can be utilized on a computer; includes PDF, Word or RTF files, DAISY files, TIFF files)

Braille

Large print

Audio

<p>The provision of textbooks in alternate format is governed by both State and Federal laws.</p>
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Related Federal legislation:

Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act state that “A public entity shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by a public entity. Auxiliary aids can include textbooks and other required course materials in alternate format.

The Americans with Disabilities Amendment Act of 2008 defines a **Qualified reader**: a person who is able to read effectively, accurately, and impartially using any necessary specialized vocabulary.

Explanation: Qualified readers; taped texts; audio recordings; Brailled materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision.

It is the school's responsibility to provide these auxiliary aids and services in a timely manner to ensure effective participation by students with disabilities.

Higher Education Opportunities Act of 2008 Section 709: Programs to Support Improved Access to Instructional Materials establishes a definition of a “student with a print disability” as a student with a disability who experiences barriers to accessing instructional material in non-specialized formats.

Chafee Amendment / Copyright laws: In 1996, the U.S. Copyright Law (Section 121) was amended to allow authorized entities to reproduce or distribute copies of previously published non dramatic literary works if the copies were reproduced or distributed in specialized formats exclusively for use by blind or other persons with disabilities.¹ There is disagreement between disability advocates and publishers as to whether colleges are considered “authorized entities” and therefore legally able to convert texts to alternative formats as well as who qualifies as a person with a print disability and therefore has a right to access a book in an alternative format.

Related State legislation:

In New York State, *Chapter 219 of the Education Laws of 2003* and, more recently, *Chapter 194, Laws of 2010*, require publishers and manufacturers of instructional materials to share, with colleges, the responsibility for the timely provision of alternate format materials to students with print disabilities in the higher education setting. A Disability Services office can request textbooks in alternate format, generally e-text, directly from the publisher. Contact information can be found at the Publisher Lookup Service (<http://www.publisherlookup.org/>).

Chapter 219 states: “A print disability: The disability services coordinator or 504/ADA compliance officer should use professional judgment to determine whether a student has a disability that prevents him/her from using standard instructional materials. In general, a print disability results in the inability to effectively utilize print material and may include blindness, some specific learning disabilities, or the inability to hold a book.”

Find more information about the responsibilities of the publishers and the college at <http://www.emsc.nysed.gov/specialed/publications/persprep/chap219.htm> . Also included in this document is the Student Agreement Form requiring students to abide with copyright laws regarding e-text files and other alternate format materials.

Textbooks vs Other Course Material

Legislation covers only those materials provided through publishers, so other required course materials such as handouts are the responsibility of the college to provide in alternate format. Coordinating with faculty is essential to providing these materials in a timely manner. Once faculty understand the needs of the student, often they can email to the student materials that they have in electronic form. If necessary, Disability Services may have to scan and convert other materials to e-text for the student’s use.

Formats

What format is most appropriate?

The appropriate format can be determined best by conversations with the student. A blind student may request that their textbooks be in Microsoft (MS) Word format and that their exams be in Braille. One student with a reading-related learning disability may prefer textbooks in PDF format to allow him to look at the text on the computer screen and use text-to-speech software for listening to content while another student may not be able to tolerate a computerized voice and prefers voice-recorded audio texts from RFB&D. Some students who have never gotten their textbooks in alternate format before may not know what format works best for them. In this case, it may be necessary to demonstrate the various options and allow them to “try them out” to determine the best format.

We are not always required to provide the format that works “best” for a student as long as we provide one that meets the need. However, if the student is not satisfied with what they receive, there is less chance they will use it.

Common Formats

Microsoft (MS) Word: a typical Word document. Generally, it contains only text, no graphics. Often if you receive this format from the publisher, the layout, font sizing and formatting are very difficult to read. However, if you will be converting the text to computer-voiced audio, i.e. MP3, this is probably the best format to start with.

Portable Document Format (PDF): a proprietary format created by Adobe software which is now widely used on the web and in business because what you see on the screen generally looks exactly like the printed page. This is currently the format provided most commonly by publishers. The advantage of this format is that it is easy for a student to get the whole book experience including charts, graphs, photos, tables, etc. PDF files typically are opened with Adobe Reader which is a free download from the Adobe website (www.adobe.com). Adobe Reader has a rudimentary text-to-speech feature which can be accessed under the “View / Read Outloud” menu, however it has very few controls making it difficult to use on pages that have numerous captions and sidebars. However, PDF can be read aloud by several other text-to-speech software packages such as Premier Assistive Technology, Kurzweil, TextHelp Read & Write, Natural Reader and many more.

TXT or Rich Text Format (RTF): plain text files, generally containing no graphics. These files can be opened by MS Word and utilized by almost all of the text-to-speech software products. This is the most universally accessible format, the biggest drawback being that it does not contain any graphic information. Files in TXT or RTF format can easily be converted to computer-voiced audio files.

XML (eXtensible Markup Language): primarily used for web content. XML was created to carry data or information (rather than display data as is the function of HTML) on the web. Files of this type generally look very much like plain text and are used as a component of DAISY formatted content. XML files can be opened in a browser or in MS Word.

Digital Access Information System Standards (DAISY): a relatively new format that has the potential to provide a full digital talking book that is navigable, i.e. including page and chapter markers, etc. It contains several files including a voice file, text file and navigation file. DAISY files can generally only be opened by software specifically designed for DAISY such as Bookshare’s Victor ReaderSoft and READ: Outloud, TextHelp’s Read & Write Gold, and others. If DAISY reader software is not available, the text file (.xml file extension) can also be opened by MS Word and then used with text-to-speech software that reads MS Word files.

Tip: XML markup will appear in the file when you first open it in MS Word. Change the “View” setting in MS Word to Full Screen to remove the markup or “Save” it as a TXT file format to create a new file that does not contain the markup.

MP3 / WMA audio: an audio file that can be played on most MP3 players as well as in Windows Media Player or QuickTime on the computer. For students who can’t or don’t want to be tied to a computer to hear their textbooks read, MP3 is a good solution. An MP3 player can be purchased for as little as \$20. There are many software options for converting text to computer-voiced MP3 files such as Premier’s Text to Audio, Read & Write Gold, and many others. This format works best for novels, but can be effective for other content when the student is also following along in the book. It is important to know the student’s preferences for voice type and speed before creating the voiced MP3 files.

TIFF: an image file format which represents the page of a book as a picture. It can only be used by a software product which is capable of converting an image file into real text such as Kurzweil, Omnipage, and others. It is not typical that you would receive a file in this format unless the book has been scanned and no further processing has been done in order to make it readable by a wider variety of text-to-speech software.

When textbooks are ordered from publishers, typically there are only one or two e-text format options available, Microsoft Word, PDF and XML being the most common. Texts obtained through Bookshare are generally available in DAISY and BRF (Braille formatted file). See information above about utilizing DAISY files without a DAISY reader.

Sources of alternate format textbooks

AccessText Network

www.accesstext.org

Membership fee required

Provides an interface for requesting e-text from the largest college textbook publishers

E-text formats commonly available: PDF, DOC, XML

Other Information about Textbooks
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Publisher Lookup

www.publisherlookup.com

Provides contact information for dozens of publishers (a great resource for ordering e-text from publishers who do not participate in the AccessText Network).

Recordings for the Blind and Dyslexic (RFB&D)

www.rfbd.org

Membership fee for institutional membership

Currently offering free membership to students for their personal accounts

Historically has provided primarily audio files

Many books are recorded in human voice (vs computer generated voice)

Formats provided: DAISY CD, Downloadable DAISY, WMA (Windows Media Player audio file)

Does not have an extensive selection of college textbooks

Bookshare

www.bookshare.org

Formats provided: DAISY (generally only the text is available, not a human voice recording) and BRF formats (Braille formatted file for creating hard copy Braille books printed on an embosser)

Provides many popular novels as well as some textbooks.

Louis Database

<http://louis.aph.org/catalog/CategoryInfo.aspx?cid=152>

Formats provided: Publisher text files (not including graphics), Embosser-ready Braille files

These files are generally designed for people who are blind or visually impaired who use a screen reader or for creating hard copy Braille

Converting e-text files to the needed format

If the student needs book content in a format other than that provided by the publisher or other source, it will be necessary to convert it. For example, if a student needs an audio (MP3) file because they cannot be tied to a computer when reading their books, then Premier's Text to Audio software, as well as many others, can be used to convert a DOC file to MP3 or WMA format.

Be careful however when converting from PDF to any other format. There are many tools available to save a PDF file in TXT or DOC format, such as Adobe Acrobat Professional, Abby FineReader, etc. However, you need to be very vigilant about reviewing and editing the final content to get a proper read order, especially if the book has numerous captioned graphics and/or sidebars.

Converting textbook files for a student who is blind and using a screen reader requires some decisions. For the student to have the "full" textbook experience, all graphics would need to be described if the caption alone does not suffice in conveying the meaning of the graphic, tables would need to be properly labeled with table header information and the proper read order of the file (if it is a PDF) would need to be set up. This can be a full-time job so it is important to 1) check all sources to see if the

book is already available in the necessary format and 2) work closely with the student to determine their needs and requirements.

Creating your own e-text

Warning! Use this as a last resort. It can be very time consuming! Manuals and tutorials regarding the necessary computer hardware and software and techniques for creating e-text is available through the California Community College High Tech Center Training Unit (<http://www.htctu.fhda.edu/trainings/manuals/tutmain.htm>).

The basic steps for creating e-text are as follows:

Obtain a print copy of the book or course material

Scan each page (it goes MUCH faster if you have an automatic sheet feeder on your scanner rather than a flatbed scanner). Typically, each chapter is scanned and saved as a separate file.

Use OCR (Optical Character Recognition) software such as OmniPage or Abbyy FineReader to convert the scanned image into real text

Proofread and correct any spelling errors that result from the OCR process (and there will definitely be some)

Save the file in the appropriate format, i.e. PDF, Word, TXT, etc.

For detailed information, see the High Tech Center Training Unit manual: *Creating E-text* at http://www.htctu.fhda.edu/trainings/manuals/alt/Creating_E-Text.pdf.

Software for reading e-text aloud
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There are currently dozens of software products for computer-voicing of e-text files. They range in price from free to \$300+. Generally, the more expensive products include additional features such as natural sounding voices, highlighting and extracting highlighted text, built in voiced dictionaries, etc. Almost all products include the ability to change the voice and the speech rate. The student can experiment with these options to find the combination that works best for them. If you are completely unfamiliar with text-to-speech technology, CAST's Text-to-Speech Technology Resource Guide (www.cast.org/system/galleries/download/pdResources/tts.doc) provides a good introduction.

Below is a partial listing of the many text-to-speech products available:

Free:

Natural Reader free version

<http://www.naturalreaders.com/download.htm>

ReadPlease free version

<http://www.readplease.com/>

Adobe Reader (built-in Read Outloud feature)

<http://get.adobe.com/reader/>

WordTalk (reads only text opened in Microsoft Word)

<http://www.wordtalk.org.uk/Home/>

Ultra-Hal;

<http://www.zabaware.com/reader/index.html#Interface>

Less than \$50:

NextUp Text Aloud

<http://www.nextup.com/?gclid=CPbl-OCpraQCFYXV5wodOA8ibw>

Natural Reader Professional version

<http://www.naturalreaders.com/personal.htm>

Read Please Plus 2003

<http://www.readplease.com/>

Dolphin Easy Reader

<http://www.yourdolphin.com/productdetail.asp?id=9>

More than \$50:

Premier's Universal Reader and E-text Reader

<http://www.readingmadeez.com/products/UniversalReaderPlus.html>

<http://www.readingmadeez.com/products/EtextReader.html>

Premier's PDF Equalizer ML

<http://www.readingmadeez.com/products/PDFEqualizer.html>

More than \$100

TextHelp Read & Write Gold

http://www.texthelp.com/page.asp?pg_id=10275

Kurzweil 3000

http://www.kurzweiledu.com/kurz3000v11_default.aspx

Include Magnification (with many of the text-to-speech tools listed above, you can set the font size and therefore provide large print on the screen. The following products provide general screen magnification in addition to read out loud features)

Zoomtext with Reader

http://www.aisquared.com/products?gclid=CNr_ieWqraQCFaTY5wodV2x6cA

Magic

<http://www.freedomscientific.com/products/lv/magic-bl-product-page.asp>

Screen Readers for students who are blind and need full keyboard access to all functions

JAWS

<http://www.freedomscientific.com/products/fs/jaws-product-page.asp>

WindowEyes

<http://www.gwmicro.com/Window-Eyes/>

Distributing Alternate Format materials

It is important that the student understands the copyright protections that are associated with alternate format materials. New York State Chapter 219 requires that students sign a copyright agreement

(<http://www.emsc.nysed.gov/specialed/publications/persprep/chap219.htm#appb>) to acknowledge these provisions.

Whether your college distributes e-text files on CD, flash drive, via email, a learning management system, the web or other means, it is important to protect against unauthorized possession of the files which would be in violation of copyright and could jeopardize future collaboration between college disability services and publishers.

Questions/Comments: contact

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Resources

NYS DSC Alternate Format Handbook: <http://www.tc3.edu/bcl/altformhandbook>

AHEAD E-text Solutions Initiative: <http://www.ahead.org/resources/e-text>

Chapter 219 memo:

<http://www.p12.nysed.gov/specialed/publications/persprep/chap219.htm>

High Tech Center Training Unit of the California Community Colleges:

<http://www.htctu.net/>

Footnotes

¹ AHEAD Analysis of Section 121: Chafee Amendment,

<http://fairuselab.net/2009/04/10/ahead-analysis-of-section-121-chafee-amendment/>,

July 15, 2010

College Student Responsibilities and Rights

Every student who has self-identified to the designated disability services office at their current institution has the following responsibilities and rights during and after the process of documentation and establishing accommodations through that disability services office:

Responsibilities:

- Identify himself/herself as an individual with a disability to the college's designated disability services office in order to initiate the process for recognition and consideration as a student with a disability in a timely manner
- Provide current and appropriate documentation of his or her disability, as advised by the college's disability services office
- Follow the college's specific procedures to complete the process of documentation and establishing accommodations through the disability services office
- Meet the college's qualifications and maintain the college's standards for courses, programs, and activities, both curricular and co-curricular

Rights:

- Equal access to the courses, programs, information, services, jobs, activities, and facilities available through the college for its students
- Accommodations appropriate to his or her individual needs at the college as determined by the disability services office during the process of documentation and establishment of accommodations
- Reasonable assurance that information regarding his or her disability will be treated as educational records which the disability services office may discuss with others in the campus community on a need-to-know basis as determined by the disability services office

Helpful information from the Department of Education Office of Civil Rights (DOE OCR): The US Department of Education's Office of Civil Rights has created a pamphlet for students with disabilities who are preparing to enroll in college. The pamphlet explains the rights and responsibilities of students as well as the obligations of colleges to ensure non-discrimination on the basis of a disability.

The url below will take you to the pamphlet. The url is current as of May 2017. "Students with Disabilities Preparing for Postsecondary Education: Know Your Rights and Responsibilities"

<http://www2.ed.gov/about/offices/list/ocr/transition.html>

Documentation

Documentation serves two purposes:

1. It identifies the individual as someone who is protected from discrimination on the basis of disability.
2. Documentation is the basis on which the individual can request accommodation, when needed.

Two Pertinent Documents:

1st Document

Institutions may set their own requirements for documentation so long as they are reasonable and comply with Section 504 and the ADA.

The Americans with Disabilities Amendment Act of 2008 regulations have clear application to the issue of documentation. In July 2009, the 10th Circuit Court of Appeals held that a student with an individualized education plan under the Individuals with Disabilities Education Act (IDEA) did not automatically qualify for Section 504 protection. The basis for the court's decision was the requirement under Section 504 that the impairment substantially limit a major life activity. Substantial limitation is NOT a requirement of IDEA. The fact that Section 504's scope is broader than that of IDEA does not automatically mean that all conditions under IDEA will meet the Section 504 requirement of substantial limitation of a major life activity.

- For example: An audiogram is generally sufficient for a student who is deaf; however, receiving the performance portion of a psychological evaluation can provide useful additional data regarding the student's ability. The performance scores can give you an indication of ability while the audiogram can only tell you at what point the individual becomes aware of sound.

Any request for documentation, if such documentation is required, must be reasonable and limited to the need for the modification, accommodation, or auxiliary aid or service requested. Give weight to documentation of past modifications, accommodations, or auxiliary aids or services received in similar testing situations, as well as such modifications, accommodations, or related aids and services provided in response to an Individualized Education Program (IEP) provided under the Individuals with Disabilities Education Act (IDEA) or a plan describing services provided pursuant to Section 504 of the Rehabilitation Act of 1973 (504 Plan).

If the disability is obvious (presumptive disability), consider what your DSO *needs* as far as additional or updated testing. The DSO may not necessarily need the same level of documentation for all students. Don't ask for what you don't need.

It should be noted however, that if someone with a presumptive disability is requesting an accommodation that does not seem to relate to the obvious disability, then additional documentation may be requested so that the connection is made between the functional impairment and the accommodation.

- For example, a student in a wheelchair who has alternate test location requests use of a calculator on math tests. There is no apparent reason for the use of a calculator—requesting additional documentation is an appropriate response.
- Another example: An audiogram is generally sufficient for a student who is deaf; however, receiving the performance portion of the psychological evaluation can provide useful additional data regarding the student's ability. The performance scores can give you an indication of ability while the audiogram can only tell you at what point the individual becomes aware of sound.

2nd Document

The 2004 revision of the *Individuals with Disabilities Education Act* (IDEA) attempts to address the issue of documentation for adult services—including college—by requiring school districts to prepare a document called a *Summary of Performance* (SOP) for all students with disabilities in special education who are graduating or exiting the K-12 system. Known in NYS as the *Student Exit Summary* (SES), the purpose of this document is to synthesize the available information on the student so the student and family are better prepared to make decisions about the future. The SES was not originally intended to meet the documentation requirements for colleges and universities but may provide useful information in planning effective accommodations for that student. It does not in any way prevent a college from requiring additional information as needed to provide requested accommodations, when there is a clear need to do so.

Different disabilities will require different kinds of documentation. This is where you use your professional judgment. Do what is right for your students and your Institution. If the documentation you receive has been provided by an appropriate professional and the DSO's review deems it to adequately reflect the individual's current status and needs, consider accepting it.

There are three exceptions to this practice:

- (1) If the documentation for a learning disability is based on the WISC-R or WISC-4 and not on the WAIS, and was administered at age 12 or 13 (or younger), it is usually necessary to recommend an update. Why? The WISC does not give fluid reasoning or sequencing information that are often the basis for making decisions about accommodations (such as course substitutions).
- (2) If there has been a major trauma since the testing was administered (accident, stroke, alcohol or drugs, head injury etc.), request an updated report.
- (3) If the individual has a mental health diagnosis, whether that person is new or has been out of school for a week or 2 years, request an updated status report because now your DSO might be dealing in some cases with highly volatile conditions.

What the DSO does not ever want as documentation is a note written on a prescription pad that says "This person is under my care".

You DO want:

- Documentation that is printed on professional letterhead
- The credentials of the medical/professional evaluator, medical professional etc. should be stated (ex. John F. Smith, Ph.D., License #-----)
- Documentation should include the minimum of a diagnosis (or limitations), and a summary of current impact on the individual,
- Documentation of a learning disability should include any tests administered, with scores, and should include information about the kinds of tasks/skill areas where accommodations might be needed.
- A school plan such as an Individualized Education Plan (IEP) or a 504 Plan, by itself, MAY or MAY NOT BE sufficient to establish disability since these are not diagnostic reports, however some do include the diagnostic report results or analysis. They can be included as part of a more comprehensive portfolio of documentation to provide maximum information about the student's needs.
- The information should provide a sufficient basis for arranging most accommodations. However, a student who is requesting an accommodation such as a course substitution, or who is in a curriculum which requires a certification or licensure exam, may need to provide additional documentation.

In all cases providing adequate documentation, including the cost of additional testing if needed, is the responsibility of the student.

Auxiliary Aids and Services for Postsecondary Students with Disabilities

Think of auxiliary aids and services as ensuring equal access to participating in the full array of programs, services, and activities throughout the institution, especially in activities of learning such as in the classroom, in the lab, at programmed events, and online. Auxiliary aids and services make printed information accessible to individuals with print impairments, spoken information accessible to people with hearing impairments, and physical actions for participation accessible to individuals with manual and mobility impairments – for example. One of the best examples of an auxiliary aid would be a textbook or perhaps a test in alternate format, as was discussed above in Chapter 8.

The following table gives examples of auxiliary aids and services that may be effective for certain people from various disability types. Thanks to the Collegiate Consortium of Disability Advocates for use of the table:

Disability	Accommodations
Low Vision	Large print lab handouts, lab signs, and equipment labels TV monitor connected to microscope to enlarge images Class assignments made available in electronic format Computer equipped to enlarge screen character and images Voice output on computer. Virtual labs
Blind, Visual Impairment	Textbooks in alternate format or Braille lecture notes, handouts and texts. Raised line drawings and tactile models of graphic materials Braille lab signs and equipment labels Adaptive lab equipment, i.e., talking thermometers, calculators, light probes and tactile timers Class assignments made available in electronic format Computer with optical character reader, voice output, Braille screen display and printer output
Deaf, Hearing Impairment	Interpreter; FM amplification system; note taker, real time captioning e.g., Typewell, C-Print, etc., amplified telephones, stethoscopes etc. or combinations of the above Faculty face student when speaking or using visual aids.

Learning Disability	Print/comprehension learning disability: textbooks and tests in alternate format. Note taker and/or audio-taped class sessions Extra exam time, alternative testing arrangements Visual, aural and/or tactile demonstrations incorporated into instruction Livescribe pen for notes Computer with voice input and/or output, spell checker and grammar checker
Mobility/manual Impairment	Note taker/Attendant to assist with lab work, group or lab assignments Classrooms, labs, field trips and field placements in accessible locations Adjustable tables, computer stations and lab equipment located within reach Class assignments in electronic format, including labs Computer equipped with special input devices such as voice input, Morse code, alternative keyboard
Health Impairments	Note takers Flexible attendance requirements and extra exam time Assignments made available in electronic format; use of e-mail to facilitate communication; more frequent class breaks, preferential seating.

Additional, more detailed, information can be found on the website for the US Department of Education Office for Civil Rights. The brochure titled "Auxiliary Aids and Services for Postsecondary Students with Disabilities Higher Education's Obligations Under Section 504 and Title II of the ADA" can be found at the following url:

<https://www2.ed.gov/about/offices/list/ocr/docs/auxaids.html>

Dear Colleague Letters, Resolutions, and other Documents

(1) E-Book Reader Guidance:

<https://www2.ed.gov/about/offices/list/ocr/letters/colleague-20100629.pdf>

The civil rights divisions of the U.S. Department of Justice and the U.S. Department of Education issued the letter in June of 2010, which was sent to college and university presidents. While this 2010 letter specifically references e-book readers, the larger issue that was being targeted was the accessibility of “emerging technologies.” OCR made clear that colleges and universities cannot require the use of technologies in the classroom environment when it is not accessible to a population of individuals with disabilities. OCR. (2010, June). *“Dear Colleague Letter: Electronic Book Readers.”* **Additionally, the U.S. Department of Education issued an F.A.Q. *“Electronic Book Reader Dear Colleague Letter: Questions and Answers about the Law, the Technology, and the Population Affected.”*** 2010.

Following the 2010 guidance, there have been several notable complaints against college campuses along with resolution agreements/ settlements. Although resolution agreements are not binding on parties outside of the agreement (other campuses), these cases serve as legal guideposts to help post-secondary institutions become and remain compliant.

See:

- 2011 Settlement: Louisiana Tech University ([link to settlement](#))
- 2012 Settlement: Pennsylvania State University and the National Federation of the Blind ([link to settlement](#))
- 2013 Resolution Agreement: South Carolina Technical College System ([link to resolution](#))

While there has been a great deal of guidance in recent years surrounding technologies and accessible course materials, there have been cases in other areas of accessibility that have produced helpful and instructive consent decrees.

(2) Assistance Animals and College Housing:

2015 University of Nebraska at Kearney entered into a consent decree subsequent to a lawsuit alleging housing discrimination and failure to provide reasonable accommodation to two students seeking to keep assistance animals in college housing. ([link to resolution](#))

Frequently Asked Questions

Note: Be prepared to answer questions about safety at your Institution and how students and their families are notified of emergencies

Q. How do students with disabilities apply to college?

- The same way all other students do. They research the colleges that interest them, go visit those colleges, meet students and staff, and ask questions. Students with disabilities should make contact with the DSO staff during their college search process.

Q. How are accommodations arranged?

- Accommodations in college are arranged through an interactive process with each student. Usually there are three main parts to the process: a conversation with the student, review of documentations provided by the student as requested by the college, and a determination of the student's current needs (which may change from semester to semester).

Q. My high school bought a special computer and keyboard for me because I can't use a standard keyboard and monitor. Will the college do that?

- The college is not responsible for purchasing personal use devices such as wheelchairs, hearing aids, or specialized technology for a specific individual. The college is responsible for providing access to the same extent as is available to non-disabled students.
- A student with such specific needs should contact either the NYS Commission for the Blind (NYSCB) or the Adult Career and Continuing Education Services - Vocational Rehabilitation (ACCES-VR) office. These two state agencies are charged with training or retraining qualified individuals with disabilities for employment and can often assist with the purchase of specialized personal equipment or other needs if the student meets eligibility criteria.

Q. Can any student with a disability access any accommodation?

- Accommodations in college are arranged through an interactive process with each student. Accommodations for each student are established based on the student's needs as determined during the interactive process.

Q. What does "student's needs" mean?

- "Student's needs" means that accommodations will vary from course to course, teacher to teacher and semester to semester. Section 504 requires 'reasonable accommodation' which means that the accommodation must be effective. This does not necessarily mean that it will be exactly what the student requested or what the student received in high school or at another college.

Q. What does “appropriate documentation” of a disability mean?

- Documentation of a disability means providing information about the student’s disability from a qualified professional. The documentation has two purposes:
 1. To verify that the individual has a physical or mental impairment which substantially limits one or more major life functions.
 2. To substantiate that the impairment/condition currently requires modifications, academic adjustments or services in order to compensate for or accommodate the disability.
- Keep in mind that some students have been *declassified* from special education in the K-12 environment, and no longer are receiving services under IDEA. Schools will often write 504 plans for these students so they can continue to receive accommodations such as extended time for tests in the K-12 environment. Just as an IEP is generally not “appropriate documentation of a disability” in and of itself, neither is a 504 plan.
- The K-12 school’s decision to *declassify* a student from special education does not negate the existence of a disability in the K-12 learning environment. It only means that the student is being changed to a less restrictive learning environment than an Individual Education Plan (IEP) provides. It is important that, when the K-12 school declassifies a student, the school has up-dated documentation is in place both to justify the declassification and to assist the student in the transition to the postsecondary learning environment.

Q. Who can write the documentation?

- Documentation must be from a professional source who is qualified to diagnose or make determinations about the disability. For example, a student with a hearing impairment would generally need to provide a copy of an audiogram from a licensed audiologist. A student with a learning disability generally would be asked to provide a recent psychological evaluation by a psychologist. It is important to note that the students are responsible for providing current appropriate documentation to the DSO. The college or university has the right to request further information from the student if what is presented is insufficient.
- Documentation must be on professional letter head and include the diagnosis and current status of the disability as well as the professional’s name and credentials.
- It is extremely important to contact the Student Disability Services office on campus to determine what specific documentation the student will need to provide. Documentation is the basis for determining what accommodations, services, etc. the student is eligible to receive.

Q. How much will services cost?

- Section 504 and the ADA require colleges to provide reasonable accommodations and services at no cost to eligible students with disabilities. Colleges base their decisions about the nature and extent of reasonable accommodations on a case-by-case basis with each student. The cost of these services may be paid for by many sources. These sources include, but are not

limited to: colleges, rehabilitation agencies such as the ACCES-VR, NYSCB, and/or other local support agencies. Students who want services — beyond what the college decides is reasonable — are responsible for these costs.

- Colleges may request or recommend that students apply to ACCES-VR, NYSCB, etc. but cannot refuse services to students who do not apply or who are denied by these agencies. Students must apply directly to agencies to find out if they are eligible for sponsorship to college.

Q. Is there anything else students with disabilities should know?

- Student self-identification with the DSO is voluntary and confidential. The interactive process of determining appropriate accommodations takes time to complete. Therefore, the student should contact the Disability Services Office staff sooner rather than later.

ABILITY TO BENEFIT: A potential student who is a non-high school graduate is recognized as having the ability-to-benefit from a college education after successfully earning a minimum passing score on one of the federally approved standardized tests. (See page 16 for a more detailed explanation, including the list of approved tests for individuals with disabilities on pages 63-65 in the Resource Section).

ACADEMIC: A term used to describe any collegiate course of study; a term used to describe areas of study falling under the traditional scholarly disciplines, as distinct from directly vocational or technical programs.

ACADEMIC ADVISOR: Students who are matriculated into academic programs are assigned a faculty member who assists the student in setting semester course schedules and monitors that the student meets all of that academic program's degree requirements.

ACADEMIC ADJUSTMENT: A modification made to a course or program for a student with a disability. The modification is made to a nonessential part of the course or program.

ACCES-VR: Adult Career and Continuing Education Services – Vocational Rehabilitation: This is New York State's vocational rehabilitation services department for all individuals with disabilities except those who are blind. ACCES-VR assists individuals with disabilities to achieve and maintain employment and to support independent living through training, education, rehabilitation, and career development.

ADA: *see Americans with Disabilities Act*

ACCOMMODATION: *see Reasonable Accommodations*

ADD/DROP: A system used to change a student's schedule after registration has been formally completed. (Usually the first week of classes. Also called Schedule Adjustment.)

ALTERNATE FORMAT: Conversion of print materials into a form accessible to individuals who cannot read standard print. Examples include Braille, *e-text*, and large print.

AMERICANS WITH DISABILITIES ACT: Federal law passed in 1990 (effective beginning January 26, 1992) extending the civil rights protections offered by *Section 504* to places of public accommodations, state and local governments, and employment in addition to recipients of federal funding.

ASSISTIVE LISTENING DEVICE: Technology, usually consisting of a transmitter and a receiver, used to enhance sound for individuals with hearing impairments. Some may be used with or without hearing aids.

ASSISTIVE TECHNOLOGY: Any item, piece of equipment, or product system, whether acquired commercially or off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.

ASSOCIATE'S DEGREE: The degree awarded by community colleges and private two year colleges Associate of Science (A.S.), Associate of Art (A.A.), Associate of Applied Science (A.A.S.) and Associate in Occupational Studies (A.O.S.).

AUDIT: Student option for recording attendance in a course when no grade is desired.

BACCALAUREATE DEGREE (Bachelor's Degree): An academic degree awarded to students who successfully complete undergraduate requirements in a planned, approved program (usually requiring four years of full-time study to complete). Community college and private two-year college graduates often transfer to a four-year institution to complete this degree after receiving their Associate's Degrees.

CAPTIONING: Providing text for speech.

CART: Communications Access Real-Time. Using court reporters to caption classroom lectures.

CATALOG: The book published by a college (in print or online) which describes the programs offered at the College, the academic policies of the College, services available to students, and short descriptions of each course.

NYSCB: Commission for the Blind.

"CLOSED" COURSE: Status of a course in which current enrollment has reached the number of students the instructor is scheduled to teach.

COLLEGE LEVEL EXAMINATION PROGRAM (CLEP): A standardized examination in college-level subject matter. The general examinations cover material offered in freshman-level English composition, humanities, fine arts, mathematics, natural sciences, and social science courses. Subject examinations cover material offered in specific advanced level courses.

CONFLICT: This occurs when the student attempts to register for two courses that are offered at the same time or which overlap.

CONTINUING STUDENT: Students who are considered eligible for registration the next semester because they were enrolled the previous semester (or were on an

approved/recorded Leave of Absence), have not been academically dismissed, and have not yet graduated.

CO-REQUISITE: A requirement that may be met either before registration for a particular course or program, or at the same time as that course or program.

COUNSELOR: The Counseling Office at each campus has counselors available to help students with personal problems, academic problems, program changes, withdrawals, goal setting and interest testing.

COURSE NUMBERS: The numbers assigned to a particular course for registration identification purposes.

COURSE SUBSTITUTION: The substitution of a course for another required course that is specified in an academic program. Decisions regarding substitutions must be made on a case-by-case basis. Only courses that are non-essential can be substituted. Courses that essential to the program or that are required for licensure or certification cannot be substituted.

C-PRINT: A notetaking system developed for hard-of-hearing students. It is similar to CART, but captions meaning-for-meaning instead of word-for-word.

CREDIT HOUR: Unit of measure that indicates the number of classroom hours per week that the class is held. Credit hours for laboratory, studio and physical education skills courses are often computed on a different basis.

CUMULATIVE QUALITY POINT AVERAGE: The total of the student's grade points for all semesters divided by the total number of credit hours completed for all semesters.

CURRICULUM: An organized course of study approved by the State Education Department that results in a degree. Ex. Business; Environmental Science; Nursing.

DEVELOPMENTAL COURSES: Courses which prepare the student to complete the courses necessary for their degree. These classes often do not count toward a degree.

DISABILITY: A physical or mental impairment that substantially limits one or major life activities.

DISMISSAL: Notification that a student can no longer attend that institution. Dismissal can be the result of poor grades resulting in Academic Dismissal or removal from the campus for behavior that violates the Student Code of Conduct.

EDUCATIONAL OPPORTUNITY PROGRAM (EOP): or HEOP: A federally funded program that provides eligible college students with academic assistance. Participants

must be low income, educationally disadvantaged and/or have a disability and must qualify the first semester they attend college.

E-TEXT: Print materials available in electronic ("e") format for use with a computer program which can read to the user.

EXTERNAL TRANSFER CREDIT: Credit granted for courses taken at another school.

FULL TIME STATUS: A student with a disability who cannot attend the expected number of full time hours due to the nature of their disability may be considered full time. Most colleges require documentation of a very significant disability and require recertification for full time status each semester.

FULL TIME STUDENT: Generally granted for a semester registration of 12 or more credits; an institution may grant full time status to a student with a disability enrolled for fewer than 12 credits if that registration is related to the impact of the disability on the student.

GRADE POINT: The value of a letter grade. A=4, B=3, C=2, D= 1, F=0.

GRADE POINT AVERAGE: See Quality Point Average.

GRIEVANCE PROCEDURE: Each institution must have a published formal procedure for students to follow if they feel that they have been treated unfairly by a college employee.

INCOMPLETE GRADE: Grade assigned by instructor to allow student to finish course requirements after course ends.

LIFE EXPERIENCE (LEAP): A program allows students to use their life experience to earn credit for a degree.

LIBERAL ARTS: Liberal Arts are those academic disciplines taught without regard to specific preparation for a vocation, falling within the behavioral and social sciences, the humanities, the natural sciences and mathematics, and the fine arts. Specifically excluded are all vocational courses such as accounting or education courses.

MAJOR: Academic major to which a student has applied and been accepted by the specific department. Students with an accepted major are eligible to register for courses in that department's 'majors only' (restricted) courses. A student may have two majors.

MASTER COURSE SCHEDULE: Booklet containing the courses which will be offered in a given semester. This booklet is different each semester.

MASTER'S DEGREE: An academic degree awarded to students who successfully complete a prescribed course of graduate study (after a Bachelor's Degree).

MATRICULATE: The process of applying and being accepted into a degree program at a college or university. Being matriculated is important for academic advisement and financial aid purposes and allows the student to take advantage of all services within the school.

MATRICULATED STUDENT: A student who enrolls or registers in a college as a degree candidate (necessary for financial aid).

NON-MATRICULATED STUDENT: An individual who may be enrolled in courses at a college but is not working toward a degree.

OPEN COLLEGE ELECTIVE (General Elective or Elective): A course from any of the college degree credit courses.

OVERLOAD: Students who are registered for more than 19 semester credit hours. This is possible only if a student's advisor has granted permission and students have paid tuition at the part-time student rate for any credit hours over the 19 credit hour limit.

PART-TIME STUDENTS: Students who register for fewer than 12 semester credit hours.

PERSONAL CARE ASSISTANT: A person who assists the individual with a disability with activities of daily living. This is generally the responsibility of the individual with a disability and not the college or university.

PHYSICAL ACCESSIBILITY: The extent to which the buildings and grounds of an institution needs modifications, accommodations or adaptations in order to provide the individual with a disability an opportunity to get from place to place in the institution, and make use of its facilities.

PLACEMENT TEST: Test designed to measure the student's ability in English and/or mathematics and then to prescribe what English and/or mathematics courses the student will begin with.

PRE-REGISTRATION (Early Registration): Continuing students are able to register for courses in the next semester at the end of the semester they are currently attending.

PRE-REQUISITE: A basic course that the student is required to take before registering for an advanced course.

PRIORITY REGISTRATION: Permission given to students with disabilities to register early when the nature of the disability significantly impacts course selection and time scheduling.

PROBATION: Status of a student who may face dismissal if the grades or actions that prompted the probation are not improved within a designated period of time.

PROGRAM ACCESSIBILITY: The extent to which any given program needs modifications, accommodations or adaptations in order to provide the individual with a disability an equal opportunity to participate in the program.

PROGRAM CHANGE: The process a student must use to change from one major course of study to another.

PROGRAM REQUIREMENTS: Courses that form the basis for an academic major and are essential to completing that program or meeting license or certification requirements. These courses are essential to the program and cannot be waived or substituted.

QUALITY POINT AVERAGE (Grade Point Average): The total of the student's grade points in a semester divided by the total number of credit hours completed for that semester.

READER'S AID: NYS funding available each semester of attendance for students who are deaf or blind. Money can be used to provide services such as readers, scribes etc. but cannot be used to pay for textbook, technology etc.

REASONABLE ACCOMMODATIONS: Those academic adjustments, auxiliary aids and services, program modifications or physical access adjustments that are made to the programs, employment opportunities, activities, and services sponsored by the college to provide equal access to all otherwise qualified persons with disabilities.

REGISTRATION: The process of selecting the courses and sections of each student's class schedule for a specific semester.

RESERVED COURSES: Courses in which enrollment is limited to those people who are matriculated into the designated degree program.

REGISTRAR: The administrator who is in charge of the Registration or Records office.

REGISTRAR'S OFFICE: The office on campus in charge of student transcripts, verifying student's status at school, registering and issuing student semester schedules, grades, end of the term reports, and processing the student's graduation certification.

SCHEDULE ADJUSTMENT: Changing courses or sections on student's approved semester course schedule. May require the approval of the student's academic advisor.

SECTION 504: The section of the Rehabilitation Act of 1973, as amended, which requires that all institutions that receive Federal assistance must make their programs, services and activities accessible to individuals with disabilities.

SECTIONS: Various classes of the same course in the same semester. They may have different days, times, instructors, and/or rooms, but course content will be the same.

STUDENT CODE OF CONDUCT: Rules of behavior established by the college describing unsatisfactory behavior by a student. Includes rules such as those that govern use of alcohol or drugs on campus or at campus events. Violation of these published rules can result in probation or dismissal.

TRANSCRIPT: The student's educational record. Official transcripts are sent from institution to institution or to potential employers at the student's request and bear the seal of the College.

TTY/TDD: TeleText Type, or Telecommunications Device for the Deaf, is a device which permits individuals who are hearing or speech impaired to communicate through the use of text transmission over phone lines.

TESTING ACCOMMODATIONS: Determinations of appropriate testing accommodations are made on a case by case individualized basis. The premise for eligibility is that to not provide such an accommodate would discriminate against the individual on the basis of disability

VETERANS AFFAIRS OFFICE (VA): Individuals who have served in the armed forces or the National Guard should contact the VA office on campus to discuss what assistance is available to them

VESID: Vocational and Educational Services for Individuals with Disabilities. See ACCES-VR

VRI: Video remote interpreting. Allows a deaf and a hearing person in one location to communicate by using a video phone with an interpreter at a remote site.

VRS: Vocational Rehabilitation Services.

VRS: Video relay service. Technology that allows a hearing person and a deaf person in different locations to communicate with an interpreter at a remote site voicing to one and signing to the other by means of a telephone line.

WITHDRAWAL FROM COURSE: When a student cannot continue in a course for some reason, he or she must formally withdraw from that course. The withdrawal is not finalized until the Registrar's Office receives all necessary paperwork. Failure to complete the withdrawal process will result in F grade in the course. A student cannot withdraw beyond established dates. The student withdraws **ONLY** from that course or courses but remains enrolled in the rest of the courses for which he or she is registered.

WITHDRAWAL FROM COLLEGE: Formal process utilized to change the status of an active student to one who is inactive. Discontinuance of attendance, notifying instructors, or mere telephone contact with college personnel do not constitute an official withdrawal. Students remain both academically and financially responsible for all incurred expenses until the withdrawal procedure has been finalized.

Web Resources

Access to Technology

- ADTECH: A 'listerv' for those who deal with assistive or adaptive technology from high speed scanners to questions about interfacing technology
<http://www.lists.oregonstate.edu/cgi-bin/lyris>
- Equal Access to Software and information (EASI): Owned and operated by Dr. Norm Coombs, EASI offers online courses and discussions on topics such as web access and distance learning. [**http://easi.cc/workshop.htm**](http://easi.cc/workshop.htm)
- Syllabus Magazine a monthly publication dedicated exclusively to covering IT in higher education. *Syllabus* covers critical IT trends and technologies within a variety of platforms. [**http://lists.101com.com/NLS/pages/main.asp?NL=Syllabus**](http://lists.101com.com/NLS/pages/main.asp?NL=Syllabus)

Access to Career Services, Internships, and Field Placements

- Job Accommodations Network: A service of the Office of Disability Employment Policy of the U.S. Department of Labor www.jan.wvu.edu
- Workforce Diversity and Careers & the Disabled – two magazine devoted to issues regarding employment of individuals with disabilities. [**www.eop.com**](http://www.eop.com)

Disability General

- Americans with Disabilities Act (ADA) webpage: www.ada.gov or www.usdoj.gov
- Americans with Disabilities Act Accessibility Guidelines (ADAAG): www.usdoj.gov/crt/ada
- Americans with Disabilities Act (ADA) webpage: www.ada.gov or www.usdoj.gov
- Disability Information.gov: Federal website with links to other federal websites related to disability [**http://disabilityinfo.gov**](http://disabilityinfo.gov)
- Disability Resources monthly: www.disabilityresourcesmonthly.org. A newsletter that monitors, reviews and reports on resources for independent living
- DSSHE-L: International 'listserv' that allows disability service providers in postsecondary education to network with colleagues when they need assistance. To subscribe: <http://listserv.acsu.buffalo.edu/archives/dsshe-l.html>
- Exceptionalnurse.com: A nonprofit 501(c)(3) resource network committed to inclusion of more people with disabilities in the nursing profession.
- HEATH: National clearinghouse on Postsecondary Education for Individuals with Disabilities [**www.heath.gwu.edu**](http://www.heath.gwu.edu)
- National Council for Support of Disability Issues: [**www.ncsd.org**](http://www.ncsd.org) The National Council for Support of Disability Issues shall help advance public attitudes, awareness, respect, consideration and advance the success of people with all types of disabilities. Site includes information on scholarships, employment general information on disability
- Office for Civil Rights (OCR): Unit of the US Department of Education charged with oversight of compliance with the ADA on college campuses. [**www.ed.gov/ocr**](http://www.ed.gov/ocr)

Disability Specific

- *ADDitude: a print magazine dedicated to improving academic, vocational, and social outcomes for people with Attention Deficit Disorder. Website is www.additudemag.com.*
- *American Printing House for the Blind: Resources for the blind including four track tape recorders and some large print books <http://www.aph.org>*
- Northeast Technical Assistance Center on Deafness (NETAC): Located on the campus of the Rochester Institute of Technology, NETAC provides assistance and information to campuses and individuals to improve the learning environment for deaf and hard of hearing students on college campuses. Website has a great collection of teacher tipsheets that can be downloaded and copied. www.netac.rit.edu
- PEPNET: outcome.mcpo.org/Gatestoadventure: Transition materials for deaf and hearing impaired students and teachers
- *Recordings for the Blind and Dyslexic: Textbooks on audio cassette and now electronic format www.rfbd.org*
- Talking Books and Braille Library: NYS version of the National Library for the Blind and Physically Handicapped. Lends books, tapes, publications to eligible participants in alternate format. Also provides users with free tape players etc. for use with the material. tbbl@mail.nysed.gov

Transition Resources

- Collegiate Consortium of Disability Advocates (CCDA) full text of Effective College Planning 7th Ed. and information about events and materials. www.ccdanet.org
- Post-Secondary Disability Consortium of Central New York: Website developed by this consortium to assist students, parents, educators, and consulting professionals in developing a better understanding of the issues involved in the transition to college for students with disabilities. www.pdcccny.org

Student Tools

- Northeast Technical Assistance Center on Deafness (NETAC): Located on the campus of the Rochester Institute of Technology, NETAC provides assistance and information to campuses and individuals to improve the learning environment for deaf and hard of hearing students on college campuses. An on-line note taker training course is available at: <http://www.netac.rit.edu/onlinenotetakertraining.html>
- Speech-to-Text Freeware: There are a number of free software programs (very basic) for speech-to-text. <http://www.dyslexia.com/helpread.htm> has links to five: Browsealoud, Help Read, ReadPlease, WeMedia and Read-E.
- TASC Tutoring Centers On-Line Workshops – included are workshops in Time Management, Notetaking Techniques, Learning Styles Exploration, Textbook Reading Strategies, Increasing Reading Rate, and Test-taking Strategies. http://www.trcc.commnet.edu/ed_resources/tasc/skills_workshops.htm
- University of Minnesota Assignment Calculator – this tool is great for students to plan out writing papers. <http://www.lib.umn.edu/help/calculator/>

- University of St. Thomas Study Guides and Strategies – Topics include: Preparing to Learn, Classroom Participation, Project Management, Preparing for Tests, Writing Basics, Math and Science, Studying, Learning with others, Taking Tests, Reading Skills, Web truth. <http://www.studygs.net/index.htm>

Web pages (assorted)

College Search

- www.act.org
- www.weapply.com
- www.collegeview.com
- www.gocollege.com
- www.review.com/college
- www.luminet.net/~jackp/survive.html

College Board Home Page

- www.collegeboard.com

College Quest

- www.collegequest.com/

The Student Guide

- www.ed.gov/prog_info/SFA/StudentGuide/

Careers

- www.careersandcolleges.com
- www.MyRoad.com

National Clearinghouse on Careers and Professions Related to Early Intervention and Education for Children with Disabilities; The Council for Exceptional Children

- www.special-ed-careers.org

Financial Aid/Scholarships

- www.fastweb.com
- www.collegenet.com
- www.scholarships101.com
- www.ed.gov
- www.finaid.org
- www.cashe.com

National Amputation Foundation Scholarship

- www.nationalamputation.org

National Association of the Deaf Stokoe Scholarship

- www.nad.org/openhouse/programs/R&Sawards/stokeoscholarship.html

Financial Aid for Students

- www.ed.gov/OSFAP/students

The Financial Aid Information Page

- www.finaid.org.

FAFSA Express

- www.ed.gov/offices/OPE/express.html

Don't Miss Out: The Ambitious Student's Guide to Financial Aid

- www.octameron.com

Financial Aid for Students with Disabilities and Their Families

- www.rspfunding.com.

Funding Your Education

- www.ed.gov/prog_info/SFA/FYE

- www.petersons.com

CASHE- College Aid Sources for Higher Education

- www.salliemae.com

Admissions and Financial Aid Information

CollegeNET

- www.collegenet.com

The National Association of Student Financial Aid

- www.nasfaa.org

The Parents Guide to Paying for College

- www.collegeboard.org

Hemophilia Health Services Memorial Scholarship Program

- www.hemophiliahealth.com



*If you are not yet a member of the **NYSDSC**,
now is the time to join.*

*Consult our website at WWW.NYSDSC.ORG
for details.*