

Working with Students with Disabilities  
Information for Faculty

Center for Student Success  
Disability Support Services  
Fenster Hall Room 260  
973-596-5598

## **Working with Students with Disabilities**

### **Information for Faculty**

#### **Why are services provided to students with disabilities?**

There are two federal mandates that relate to persons with disabilities and higher education, Section 504 of the Rehabilitation Act of 1973 and more recently the Americans with Disabilities Act of 1990. The Americans with Disabilities Act (ADA) is a federal law intended to protect persons with disabilities in the United States from discrimination on the basis of disability.

The ADA upholds and extends standards of compliance set forth in Section 504 of the Rehabilitation Act of 1973 regarding the treatment of persons with disabilities in the employment practices, communication and policies and practices. The ADA extends these civil rights protections to people with disabilities in employment in the public and private sectors, public accommodations, transportation services provided by state and local government, telephone companies and the U.S. Congress.

Title II of the ADA relates specifically to public colleges and universities and requires the provision of auxiliary aids and services to qualified students with disabilities. Providing auxiliary aids and services is not considered special treatment, but rather an equal opportunity to participate in the services, programs or activities offered by the institution.

#### **What are my responsibilities as a faculty member?**

Campus compliance with ADA is a shared responsibility and faculty members play a critical role in efforts to comply. The ADA is a civil rights statute that ensures that students with disabilities will have the opportunity to participate in postsecondary education without discrimination. For faculty members, providing reasonable accommodations or auxiliary aids and services is one way to prevent discrimination.

Providing academic accommodations for students with disabilities serves many purposes. Students with disabilities are capable individuals. They are admitted to NJIT under the same criteria as other students. Because of their disabilities, they experience some limitations that may require adaption of materials, methods or environments to facilitate learning. Accommodations may also ensure that when students are evaluated they are able to demonstrate what they have learned rather than the effects of their disabilities.

According to the ADA, some responsibilities of institutions and faculty include:

- ❖ “There may be no exclusion on the basis of disability”

- ❖ “Participation should be in the most integrated setting possible”
- ❖ “There may be no discrimination through eligibility criteria”
- ❖ Reasonable modifications in policies, practices and procedures based on the documentation of disability should be provided as necessary to avoid discrimination on the basis of disability
- ❖ Examinations and courses must be accessible
- ❖ “There may be no harassment or retaliation against individuals who are accessing their rights under the law or against those who assist people with disabilities accessing their rights” (Taken from the brochure “The Americans with Disabilities Act – The Law and its Impact on Postsecondary Education”, Association on Higher Education and Disability, 2001)

### **How do I decide which accommodations are appropriate for a particular student?**

Decisions on appropriate accommodations are based on the student’s disability and documentation of the disability. Because appropriate documentation is provided to Disability Support Services in the Center for Student Success and accommodation decisions are based upon the documented disability, faculty members are not responsible for making decisions about accommodations. Based on an interview with the student and the documentation of a disability provided, Disability Services professionals recommend the accommodation(s) which may be the most effective and will provide the student with appropriate access to academic programs. Students have the responsibility for requesting accommodations and services, and must provide documentation from an appropriate professional of conditions that may warrant academic accommodations. Before providing particular accommodations for a specific course, the disability specialist carefully considers the nature of the student’s disability and the impact the disability may have on learning and performance.

The particular accommodations or support services provided are determined on an individual basis and types of services provided depend on the documented needs of the student. Services can include things such as special testing arrangements, readers, interpreters, note takers, certified real-time captioners (CART), FM assistive listening devices (FM ALD), taped textbooks, use of specialized equipment, registration assistance and counseling. All of the services provided are “support” services; students with disabilities are fully integrated into the NJIT community. They are admitted on the basis of NJIT standard requirements and are evaluated on the same academic standards as their peers.

### **How will I know that a student in my class is supposed to have an accommodation?**

Each semester, students are asked to contact Disability Support Services to provide information about the courses they are taking and for which courses they are requesting accommodations. Once a student has provided information on his/her courses and has provided a signed consent

form to contact faculty, Chantonette Lyles in the Disability Support Services office will then send a memorandum to notify faculty members of the type of accommodations that are requested for the semester for that particular student.

Occasionally as student may request that you provide accommodations. But you never received notification from the Disability Support Services office about that student, the accommodation requested is not included in the notification you received or the student is requesting that you administer the accommodation in an unusual manner (e.g. administer an exam in a take home form when it is given in class for other or administer the exams of campus). To protect yourself, the student, and NJIT you should recommend that the student channel any additional or unusual requests through the Disability Support Services office located in the Center for Student Success in Fenster Hall room 260.

### **How are accommodations provided?**

How an accommodation is provided is guided by the type of accommodation requested. The accommodations that most often involve direct faculty involvement include: testing accommodations (such extended testing time, use of a computer or other adaptive equipment, tests provided in alternate format such as enlarged print or use of a readers/scribe or transcriber); use of adaptive equipment or special services in the classroom (such as interpreters or Certified Real Time Captioners, FM Assistive Learning Devices, tape recorders)' ensuring that a seat is available for a student with a disability in the front of the classroom, meeting individually with a student during office hours to provide clarification or additional assistance and possibly assisting with securing a note taker.

When adaptive equipment is needed or special services such as interpreters or Certified Real Time Captioners (CART), the service or equipment is usually provided by Disability Support Services or the student him or herself. Faculty members are asked to cooperate in the use of these devices or services and may be asked to wear a microphone or be aware to speak clearly.

Testing accommodations are arranged on a case by case basis. Testing accommodations are designed to allow the student with a disability to compensate for the limitations of his/her disability in the testing situation. Generally, accommodated exams are given during the same period of time the exam is being administered to the class. Extended testing time is provided by beginning the test earlier or extending the test later than the scheduled time. Testing accommodations are not provided to arrange a more convenient time for testing or to allow the student extra time for study.

Extended testing time can be administered by the instructor if this is not possible. The Disability Support Services office located in the Center for Student Success is responsible for administering testing which is located in Fenster Hall room 260. Extended testing with Disability Support Services involves the coordination and collaboration of the instructor, student and DSS staff. It is the student's responsibility to discuss testing arrangements with the instructor and Disability

Support Services. Students are asked to discuss extended testing with Disability Support Services or the instructor at least one week in advance of the exam (whenever possible) to allow adequate time to make appropriate arrangements for the faculty member or to allow adequate time for coordination with Disability Support Services and faculty (e.g. contacting the professor, securing a space for testing, making arrangements for obtaining and returning the test to the instructor and securing a proctor/scribe etc. for the exam). Accommodated testing adheres to all institutional policies regarding academic integrity and the NJIT Honor Code.

### **Will the student's involvement with Disability Support Services be kept confidential?**

Students have a right to privacy in disability matters and their confidentiality must be maintained. Regarding the accommodations notices you receive, please file them in a secure place and refrain from discussing the student's disability and necessary accommodations in the presence of fellow students or others who do not have an educational need to know.

Within the Disability Support Services office, disability information is treated as medical information and handled under guidelines of confidentiality similar to other medical information. The Americans with Disabilities Act (ADA) stipulates that disability related information should be collected and maintained on separate forms and kept in secure files with limited access. Thus, under this guideline faculty would not have the right to demand access to the actual documentation of the disability, including results or scores on psychological or medical tests and dates or names of professionals providing such documentation. In addition, the disclosure of unnecessary specific disability related information to those without a legally recognized need to know may have the unintended consequence of increasing NJIT's and/or individual faculty member/administrator's vulnerability to charges of harassment or retaliation.

### **Will accommodations compromise the integrity of my class or academic program?**

When providing students with disabilities access programs, courses or services etc. institutions of higher education are not required to lower academic standards or compromise the integrity of the school or programs. Students with disabilities are responsible for the same course content as all other students in the class. Accommodations provide students with disabilities equal opportunity to access the information in classes and an equal opportunity to perform as a student. There is no need to set different criteria for grading. Occasionally, a student may have extenuating circumstances that relate to a disability. When appropriate, these circumstances should be taken into account. It is also important to not grade students more harshly because they had the opportunity for additional time for exams or other instructional modifications. If you have concerns that a requested modification may jeopardize the integrity of a course please contact Chantonette Lyles to discuss your concerns.

### **What else can I do?**

Don't be afraid to speak with the student about how or she learns best. You can also create an environment in which students feel more comfortable about disclosing and discussing their disability or medical condition (particularly hidden disabilities and conditions) by including information on your course syllabus that encourages students with disabilities to contact Disability Support Services for assistance in receiving accommodations. If you feel that there are other accommodations that may be helpful for a student or you need additional information or specific resources please contact Chantonette Lyles in the Disability Support Services office, 260 Fenster Hall, or via phone (973) 596-5417. To make arrangements for extended testing time please contact Meghan Hearn in the Disability Support Services office, 260 Fenster Hall or via phone (973) 596-2994.

**Adapted from:**

“Confidentiality & Disability Issues in Higher Education” (brochure) Association on Higher Education and Disability, 2001:

“The Americans with Disabilities Act – The Law and its Impact on Postsecondary Education” (brochure) Association on Higher Education and Disability, 2001;

“What Faculty Members Should Know About the Americans with Disabilities Act - A Guide for Working with Students who are Deaf and Hard of Hearing”, The University of Tennessee, Postsecondary Education Consortium Center for Deafness