

# Our Role in Accommodating Students with Disabilities

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# Overview

- Legal definitions and key terms
- Marywood University demographics
- Procedures, Roles & Responsibilities

# ADA Amendments Act of 2008

**PL 110-352, Approved Sept. 25, 2008**

## **SEC. 2 FINDINGS AND PURPOSES**

(1) in enacting the Americans with Disabilities Act of 1990 (ADA), Congress intended that the act ‘provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities’ and provide broad coverage;...

<http://npl.ly.gov.tw/pdf/6538.pdf>

# Rehabilitation Act of 1973

**PL 93-112, Approved Sept. 26, 1973**

**Sec. 504 Nondiscrimination Under Federal Grants**

No otherwise qualified handicapped individual in the United States, as defined in 7(6), shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

<http://www.usbr.gov/cro/pdfs/rehabact.pdf>

# ADA Amendments Act of 2008

## SEC. 3. DEFINITION OF DISABILITY

(1) DISABILITY - The term 'disability' means, with respect to an individual—

- '(A) a physical or mental impairment that **substantially limits one or more major life activities** of such individual;
- '(B) a record of such an impairment; or
- '(C) being regarded as having such an impairment ...'

# ADA Amendments Act of 2008

## SEC. 3. DEFINITION OF DISABILITY

### (2) MAJOR LIFE ACTIVITIES:

‘(A) IN GENERAL... 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.**

# ADA Amendments Act of 2008

## SEC. 3. DEFINITION OF DISABILITY

(2) MAJOR LIFE ACTIVITIES: (continued):

(B) MAJOR BODILY FUNCTIONS.—also includes 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.

Do all disabilities warrant accommodations?



Not necessarily.

# Key Terms

- Equal access
- Otherwise qualified
- Reasonable accommodations
- Maintaining integrity of program/course
- Technical standards/essential functions
- Confidentiality

# What are the consequences of non-compliance?

- Discrimination claim
- Office of Civil Rights investigation
- Loss of Federal funding
- Legal fees (\$\$\$)
- Additional costs

How does this apply to  
Marywood?

# Marywood Demographics

- 125 students enrolled with documentation on file

## Accommodation plans:

- 61 fall 07
- 73 fall 08
- 20% increase in 1 year
- Anticipating 20% increase in fall 09

# Marywood Demographics

Fall '07



Fall '08



- Creative and Performing Arts
- Education and Human Development
- Health and Human Services
- Liberal Arts and Sciences

\*Data for School of Architecture not yet determined

# Marywood Demographics

- 37 different majors/goals represented
- Average grade point average: 3.0
- Most students do not have noticeable symptoms

# Marywood Demographics

We serve students with various disabilities:

- **Physical:** spinal cord injuries, chronic pain, spina bifida, cerebral palsy, deaf/hard of hearing, vision impairments
- **Medical:** Autoimmune deficiencies (Lupus, Crohn's disease, multiple sclerosis), lung/heart conditions, degenerative diseases



# Marywood Demographics

We serve students with various disabilities:

- **Mental Health/Developmental Disorders:**  
Bipolar disorder, anxiety, depression, post-traumatic stress disorder, autism spectrum disorders
- **Learning Disabilities/Attention Disorders:**  
reading, math, written expression, auditory processing, ADD, ADHD

What are some typical accommodations?

# Accommodations

- Single room in residence hall
- Furniture in classrooms
- Sign language interpreters
- Large print materials
- Audiobooks
- Note takers/scribes

# Accommodations (con't)

- Alternative methods for submitting assignments (i.e. fax/email)
- Extended deadlines on assignments
- Exam accommodations such as extra time, separate location, less distracting environment, tests read aloud, word processor for essay exams

How are accommodations  
implemented?

# Procedures, Roles & Responsibilities

- Syllabus Statement
- Faculty Resources link:  
<http://cwis.marywood.edu/Disabilities/faculty%2oresources.stm>

# Procedures, Roles & Responsibilities

- Accommodation Process:

<http://cwis.marywood.edu/Disabilities/accom%20process.stm>

1. Student submits documentation to OSSS
2. OSSS verifies
3. OSSS and student discuss potential needs

# Procedures, Roles & Responsibilities

- Accommodation Process continued:
  4. OSSS develops accommodation plan
  5. Student presents plan to faculty member for review and signature
  6. Faculty member signs a copy & retains a copy for reference
  7. Plan becomes active upon return to OSSS



# Procedures, Roles & Responsibilities

- How will I know if a student needs accommodations?
- What if a student asks for accommodations but does NOT present an accommodation plan?

# Procedures, Roles & Responsibilities

When in doubt... contact the  
Office of Student Support  
Services.

# Additional campus resources

- Psychological Services Center
- Speech and Hearing Clinic
- Counseling/Student Development Center
- Housing and Residence Life
- Health Services
- Campus Ministry
- Athletics and Recreation
- Office of Retention and Advising
- Tutoring program

# Roles & Responsibilities

- Student
- Faculty
- Office of Student Support Services
- <http://cwis.marywood.edu/Disabilities/roles.stm>

# Roles & Responsibilities: Student

- Provide documentation
- Participate in development and implementation of accommodations
- Notify OSSS when accommodations need modification
- Notify OSSS of any problems in the classroom

# Roles & Responsibilities: Faculty

- Refer students OSSS for initial stages of accommodation process
- Respond when accommodation plans are presented
- Contact OSSS with questions or concerns
- Request guidance from OSSS if/when unsure
- Participate in process to determine and implement reasonable accommodations
- Identify essential course components for accommodations to be determined

# Roles & Responsibilities: OSSS

- Determine if condition(s) are a disability in accordance with state and federal laws
- Request updated documentation when necessary
- Maintain documentation in a confidential manner
- Assist with implementation of reasonable accommodations
- Serve as campus resource to help resolve disability-related issues
- Provide information and referral to campus and community resources

# Language

**Beware of comments that may offend. While well-intentioned, they may ultimately be harmful.**

- “... you’ll be fine; just try to take the quiz/exam here in class”
- “... don’t feel bad; you are not the only student in class failing”
- “(while other students are present)... see me after class so we can discuss your arrangements”
- “(while other students are present) ... you sit here so you can see better”
- “I just don’t ‘get’ these invisible disabilities.”



Questions or Comments?

**Thank you.**