



Foy Hall 109

518-783-4239



A Faculty Guide to Accommodations for Students with Disabilities



INTRODUCTION

To ensure that our programs, activities, and services are accessible to all matriculated students, Siena College is committed to providing accommodations for students with disabilities. This includes students with a learning disability; attention deficit hyperactivity disorder; a visual, hearing, or mobility impairment; physical limitation; mental illness or other disabling condition. The Office of Accessibility assists in creating an accessible community where students with disabilities have an equal opportunity to participate as fully as possible in all aspects of the educational environment. Students who seek accommodations must provide current and appropriate documentation that shows they have a disability. The documentation should also show evidence of a substantial limitation to learning, or other major life activity and describe the current impact of the condition. Based on this information, the Office of Accessibility grants accommodations which the College must provide the student. Faculty will be notified of these accommodations via an official letter from this office which the student will provide to you either in person or electronically.

BACKGROUND INFORMATION ON DISABILITY LAWS

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities by recipients of federal funds, and requires recipients to make their programs and activities accessible to everyone. As a recipient of federal funds, Siena is required to meet the disability mandate of Section 504 and all subsequent applicable state and federal disability laws. Disability laws define a person with a disability as an individual who:

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

The determination that a condition is a disability depends on whether the impairment substantially limits one or more major life activities and must be assessed by examining the extent, duration, and impact of the impairment. A major life activity is an everyday activity that an average person can perform with little or no difficulty. Persons who do not have disabilities but who are treated in a discriminatory manner because they are “regarded as” having a disability are also protected by disability laws. The Americans with Disabilities Act of 1990 broadened the scope of Section 504 to include public accommodations, state and local governments, telecommunications, transportation, and employment. The ADA prohibits discrimination in nearly every sector of life. Its purpose was to dispel stereotypes of persons with disabilities, ensure their equal opportunity, and encourage full participation, independent living, and economic self-sufficiency. The ADA Amendments Act (ADAAA) was signed into law

on September 25, 2008 and took effect on January 1, 2009. The major revision of the law was that disability should be considered broadly to include persons with a wide range of physical and mental impairments. It is the intention of Congress that the focus of the determination of disability should be on how a major life activity is substantially limited, not on what an individual can do in spite of the impairment. At Siena, we will continue to make determinations regarding effective accommodations to ensure equal access and opportunity on an individualized basis after reviewing disability documentation and meeting with the student to discuss his/her access needs.

CONFIDENTIALITY

Disability information provided by a student in order to receive accommodations cannot be used for any reason beyond the scope of this purpose without informing the student of the additional possible use of the information. The Family Educational Privacy Act (FERPA) protects the privacy of and access to student educational records, including disability documentation. This means access to disability related documentation is restricted to the staff of the Office of Accessibility only. Section 504 and the ADA protect the student from discrimination with respect to the handling of medical records and disability documentation. The discussions regarding a student's disability status and use of accommodations should remain a confidential matter between the instructor, student, and if necessary the Office of Accessibility.

SELF-IDENTIFICATION

Students with disabilities are admitted under the same criteria as other students. Students with disabilities are not obliged to disclose a disability during the admissions process, nor at any point during their tenure here. However, in order to qualify for accommodations, it is necessary for students with disabilities to self-identify and submit disability documentation to the Office of Accessibility.

DOCUMENTATION

Students who request accommodations must submit to this office current and comprehensive disability documentation from a qualified practitioner. This confidential documentation remains on file with this office which will approve the use of accommodations when a student has made a direct request and has met disability documentation guidelines. Siena's documentation guidelines are adapted from guidance provided by the Association of Higher Education and Disability (AHEAD). After reviewing the documentation, this office will then grant necessary accommodations based on the functional limitations of a student's condition.

DECISION-MAKING ABOUT ACCOMMODATIONS

Accommodations are modifications to a course, service, policy, procedure, activity, or facility that provide an individual with a disability an equitable opportunity to obtain the same benefits and privileges available to an individual without a disability. The College is obligated to make accommodations for known limitations of otherwise qualified individuals with disabilities. We

are not obligated to provide accommodations that would alter the essential components of a course of study or accommodations that are unduly burdensome to the College. Providing accommodation to ensure access is never done at the expense of the essential standards applied to all students. The determination of accommodations is made in a non-formulaic, case by case basis by the Director of the Office of Accessibility to ensure the individual needs of the student are met and equal access is being provided. The student with a disability should be actively involved in the process and may be provided with his or her first choice of accommodation or an alternative appropriate accommodation determined by the Office of Accessibility. Accommodations are determined by examining:

- the physical and/or programmatic barriers resulting from the interaction between the disability of the student and the course or program requirements or the campus environment;
- the possible accommodations that might remove the barriers;
- whether the student has equal access without accommodations;
- whether essential elements of the course, program of study, job, or activity will be fundamentally altered by the accommodations;
- whether the accommodations will result in an undue hardship for the college.

Some examples of accommodations are:

- Extended time on tests (including quizzes, midterms, and finals)
- Distraction-reduced testing space
- Audio or pdf versions of textbooks
- Note-taking assistance
- Alternative test formats, such as large print or having it read to the student.
- In class recording devices such as a Live Scribe Smart Pen
- Use of a laptop computer in class and/or for tests and in-class assignments
- Spelling aids and/or calculators
- Assistive technology (computer software)
- Flexible attendance requirements
- Priority course registration
- Reducing a student's course load
- Preferential seating
- Sign language interpreters and/or FM system
- Taking breaks from class to treat a medical condition
- Rescheduling exams

FAQ

What are my responsibilities as a faculty member?

Providing accommodations is a shared responsibility between you, the student and the Office of Accessibility. It is the student's responsibility to make you aware of the need for an accommodation by providing you with a copy of the accommodation letter listing their approved accommodation(s). When you receive the accommodation letter you are responsible for keeping the information confidential and providing the accommodations listed when the student requests it. Faculty may not limit or discourage a student's use of their accommodations in any way including shortening the allotted time for an exam, not allowing the use of the Office of Accessibility testing room, or persuading a student to take their exam in class unless they are providing the extended time and alternate location.

Is it recommended that faculty members include a statement regarding accommodations for disabilities on their course syllabi?

Yes, in addition to providing information for students who have not yet disclosed a disability, such a statement indicates a faculty member's willingness to provide accommodations for students with documented disabilities. The following is an example of a disability statement that can be used or adapted for course syllabi: "Students seeking accommodations based on disabilities must provide documentation to the Office of Accessibility in Foy Hall 109. Students are encouraged to address any special needs or special accommodations with me at the beginning of the semester or as soon as you become aware of your needs."

Why am I not given more information about a student's particular disability?

The nature of a student's disability, the content of the supporting documentation, and other records on file with the Office of Accessibility are confidential. Information will be released to others only as necessary to administer the College's accommodation of the student's disability. Students may wish to discuss their disability and learning styles with faculty and are free to disclose any information that they choose. However, students should not be compelled to disclose any information beyond what is written in the accommodation letter. Faculty members who feel they need more information about a student in order to provide effective accommodations should contact Office of Accessibility. Please be aware that all information (including accommodation letters) regarding a student's disability is to be kept confidential. Discussions or meetings with students regarding a disability and/or accommodations should occur in private.

When a student shows me an accommodation letter stating they are entitled to testing accommodations, what are my responsibilities?

Testing accommodations are by far the most common type of accommodation granted at Siena.

- It is the student's responsibility to submit a request for their testing accommodations utilizing the online request form in Processmaker. Special conditions may arise where a student may request an accommodation directly to their professor.
- All requests should be submitted at least 3 days in advance of the actual test date.
- The student and faculty may arrange for the examination to be administered through the Office of Accessibility (through Processmaker) or they may make arrangements for the faculty member to administer the exam in a quiet location within their department.
- The Office of Accessibility will support the accommodations necessary for examinations between the hours of 8:30am – 4:30pm during the semester and will support accommodations during the final exam period as published.

All exams scheduled with the Office of Accessibility during the regular semester must conclude by 4:30pm. This must be considered when including the start time and extended time allowed for the exam (time and a half or in some cases double time).

- Examinations should be delivered to the Office of Accessibility at least 24 hours prior to the exam date (hand deliver, email, or through the Processmaker). Also indicate whether the exam will be picked up or emailed back to professor.

It is important to realize that the Office of Accessibility has limited resources to accommodate all requests and not all exams may be scheduled for the same date and time at which the student's classmates are taking the exam.

Any special instructions should also be communicated to the student and the office staff. Faculty are also responsible for keeping confidential the identities of students who are planning to take the exam in the Office of Accessibility. Please don't make announcements to the class such as "any students with disabilities who are planning to take this exam outside of class please raise your hand so I know who you are" or "students with disabilities should stay after class so we can go over your exams separately."

Do I have to give accommodations if a student speaks to me the day-of or day-before an exam?

Yes, as long as they previously informed you of their disability by providing you with an accommodation letter. Colleges are not legally permitted to deny a student their accommodations based on deadlines that indicate they must request testing accommodations

a certain number of days ahead of time. As a courtesy to you and the Office of Accessibility staff, students are strongly encouraged to request a seat in the Office of Accessibility testing room 2-3 business days in advance, between the hours of 8:30am – 4:30pm.

Can I just cut out the middle man and make accommodations for the student without consulting the Office of Accessibility?

While faculty members may assist a student in their course as they deem necessary, only the Office of Accessibility can grant accommodations. If you choose to do a student a favor and make some sort of alternate arrangement for a test or extend a deadline, make it clear the arrangement is not in any way related to their disability. Students can easily become confused if you offer them what you refer to as an “accommodation” when they may not receive that in other classes. You should instead be very clear that you are doing them a favor and if they would like accommodations because of their disability they must go through this office.

How should I grade the work of students with accommodations? You should grade the work of students with accommodations for documented disabilities the same as you would grade the work of any other students.

What should I do if I suspect a student has a disability, but has not self-identified? If you suspect a student may have a disability, please refer them to the Office of Accessibility in Foy 109. Ideally we can help the student make arrangements for testing to determine if a disability exists, and if so, appropriate accommodations.

What if I have not received a letter, but a student approaches me about receiving accommodations? Though most students with disabilities identify themselves during the enrollment process, a student may choose to disclose a disability at any point during his/her tenure at Siena. If you are approached by a student or an advisee who discloses a disability, he/she should be referred to the Office of Accessibility in Foy 109.

What are temporary disabilities?

Students with temporary disabilities are afforded accommodations as needed on a short-term basis. Typical accommodations for a temporary disability as a result of, for example, a broken arm, would include more time on tests or a scribe. A student may be late or miss class and need assistance due to a temporary mobility impairment. While personal care needs are the responsibility of the student, the Office of Accessibility can provide some adaptive equipment and support in assisting students with temporary disabilities. Transportation for students with temporary mobility disabilities can be accessed through Siena’s Transportation Office. Concussions can also fall under the temporary disability category. These students may often need attendance flexibility, a lighter workload, or extra time on tests. Unlike other students registered with the Office of Accessibility, those with temporary disabilities have to re-register at the beginning of each semester should they want to continue with accommodations.

What are my responsibilities in this process?

- Provide information to all students about the Office of Accessibility on their course syllabus and/or make announcement during the first week of class.
- Meet the classroom access needs of registered students with disabilities in a timely manner.
- Provide an opportunity to take make-up exams on a timely basis for students who miss exams for a disability-related reason.
- Provide accessible technology in courses including captioned video (for students who are deaf or hard of hearing), web accessibility, and/or accessible course materials. The Office of Accessibility will work with the instructor where immediate access challenges cause barriers.
- Maintain confidentiality of information regarding disability issues by not calling attention to the student's disability during class.
- Refer students to the Office of Accessibility who have requested accommodations but have not yet registered with our office.
- Not limit students' use of their accommodations in any way.
- Evaluate students based on their abilities, not their disabilities.