

Frequently-Asked Questions about Disabilities Services

What is the obligation of the college toward students with disabilities?

Section 504 of the Rehabilitation Act and the Americans with Disabilities Act requires that reasonable academic adjustments (accommodations) be provided to “otherwise qualified individuals with disabilities” in order to compensate for the disability and make the material equally accessible. One such disability that students often struggle with in college is a learning disability. There are several specific types of learning disabilities, but the term is used to describe a classification of a variety of disorders which involves problems in neurological processing involved in understanding, perceiving, or in using language, spoken or written, which may manifest in problems related to listening, thinking, speaking, reading, writing, or doing mathematical calculations. A disability under the Rehabilitation Act and the Americans with Disabilities Amendment Act (ADAA or ADAAA) is described as a mental or physical impairment that substantially limits a major life activity or major bodily function.

Are any academic adjustments and accommodation required?

No required accommodations for any particular disability are included in disability law. Accommodations must address each disability individually along with its relationship to acquiring the information or skills required in each course and its affect on a major life activity. For example, accommodations in a calculus class for a student with ADHD would be different from accommodations for a student in calculus with a learning disability in written expression. A few commonly-requested accommodations include recording a class, use of a calculator, extended time on tests, and testing in a separate environment with as few distractions as possible. There are many other accommodations that are also available to students under specific circumstances.

How are academic accommodations determined?

Ideally, the accommodations are agreed upon at the beginning of each semester through a cooperative effort that includes the faculty member, disability services, and the student. This situation is not always possible when questions of confidentiality arise such as when a student chooses not to disclose information about a disability to an instructor. In the ideal situation, the instructor is the expert in course content and academic expectations; the student knows best what may or may not work for his or her particular learning style and disability, and the disability services representative is a resource for ideas as well as the responsible individual for determining that the college is doing everything legally necessary to meet the needs of students with disabilities with reasonable accommodations and assistive devices in a timely manner.

What if a faculty member objects to an accommodation a student is requesting?

If an instructor receives an accommodation form from a student with a disability and has a question about accommodations requested in the letter, the instructor should take the form to Disability Services. A discussion can occur concerning the accommodation. Instructors should not make any changes to accommodation form. If changes in accommodations occur, a new form will be issued. Accommodations are not in place until the form is signed by faculty, students, and Disability Services. Instructors may not prohibit a student's use of a reasonable aid or accommodation if that prohibition limits the student's full access to or participation in class. However, accommodations should never alter the academic standards and requirements of the class. Academic accommodations do not guarantee success; they only attempt to make the playing field level for the student with a disability.

Confidential medical reports and psychological information may contain specific information and diagnoses that result in a recommendation for an accommodation that may not seem appropriate at first glance. Disability Services gives careful attention to each student's evaluation, and accommodations are not recommended without thoughtful, detailed consideration of disability law along with opinions from medical, psychological, and other providers.

For what period of time do accommodations apply?

Accommodations may change at any time during the semester if new medical or psychological information is obtained, if current accommodations are evaluated as ineffective, or if the status of the student's disability changes. Certain disabilities may not affect a student's learning or behavior. However, certain medical conditions, such as multiple sclerosis and cancer, may affect a student's attendance and learning only at certain times during the semester and not at other times. Each student's situation must be evaluated individually.

What if a student discloses a learning problem?

The instructor should refer the student to Tuesday Sigmon in Disability Services on the Caldwell Campus or Nancy Leonard on the Watauga Campus. Instructor-granted accommodations without verification and evaluation of the student's disability through Disability Services are not recommended. Students should identify themselves to Disability Services early each semester so that individual circumstances can be addressed before any problems occur. Accommodations are not applicable retroactively.

What are the student's responsibilities?

The student is responsible for contacting and working with Disability Services, providing expert medical and/or psychological evaluations, requesting academic accommodations in a timely manner, and discussing the accommodation letter with each instructor, securing the required signatures. The student with a disability is also responsible for meeting the essential academic requirements of the class and abiding by the procedures and processes outlined in each class syllabus. Students with disabilities must also meet the standards of the college's Code of Conduct.

What if an instructor suspects a student may have a disability that affects learning?

Speculating or suggesting to a student that you think there is a disability present is not recommended. Ask the student to meet with you privately and discuss problems you have observed in class. Ask if the student has had similar problems in other classes or in past educational experiences. If the student discloses a disability or seems interested in pursuing further information about a possible disability, please recommend that the student see Tuesday Sigmon on the Caldwell Campus or Nancy Leonard on the Watauga Campus.

When do accommodations become unfair to other students?

Reasonable accommodations are never unfair. The law does not require preferential treatment, but it does require that accommodations be sufficient for the student with a disability to have an equal opportunity to access and benefit from the programs offered by the college. Since some disabilities are "invisible disabilities" (such as ADD/ADHD and LD) other student may have questions. Explain that you are doing what is best for the student and what is required by law. Do not discuss the disability or the student or try to justify the accommodation. Ron LeVoie, an expert in disabilities, principal of a school for students with disabilities, and nationally-respected speaker and author, defines fairness this way: "Fairness is not treating everyone the same. Fairness means giving each individual what he or she needs."