

Accommodative Services - Faculty Frequently Asked Questions

Q1: What are the rights and responsibilities of a student with a disability?

Students with disabilities have the right to equal access to courses, programs, activities, services, and facilities offered at Union College. Students are also entitled to reasonable accommodations designed to facilitate such access. All information about the student's disability is to be kept confidential. Students have the responsibility to provide acceptable documentation of disabilities and to register with Accommodative Services if they would like to receive accommodations. If students want to receive accommodations, they are responsible for requesting accommodations from Accommodative Services each term and discussing with their instructors how the approved accommodations can be implemented. (Accommodative Services will deliver via email an Accommodation Letter to faculty once a student has requested accommodations for the term.)

Q2: What are the rights and responsibilities of an instructor when working with students with disabilities?

An instructor has the right to confirm a student's request for accommodations and to ask for clarification about a specific accommodation approved by Accommodative Services. Instructors do not have the right to refuse to provide an approved accommodation or to review a student's documentation including diagnostic data. Instructors have a responsibility to work with Accommodative Services to provide reasonable accommodations, keep all records and communications with students confidential, and to refer a student to Accommodative Services who requests accommodations but is not currently registered. Instructors do not have to provide accommodations for students not registered with Accommodative Services.

Q3: Why does an instructor have the responsibility to make reasonable accommodations for students with disabilities?

An instructor has a legal responsibility to provide approved reasonable accommodations to registered students with disabilities. The Rehabilitation Act of 1973, Section 504, as well as the Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA) protect students with disabilities. These laws require that qualified students with disabilities must have equal access to an education. If you are concerned that the approved accommodations fundamentally alter an essential component of your course,

please contact Shelly Shinebarger, Director of Accommodative Services. For more information, go to the Americans With Disabilities Act website www.ada.gov.

Q4: What is an Accommodation Letter?

An Accommodation Letter is a letter from Accommodative Services that lists specific approved academic accommodations for an individual student. A student who has an Accommodation Letter, dated in the term in which the class is taking place, is currently registered with Accommodative Services and has provided necessary documentation supporting the provision of such accommodations.

Q5: Are all students with disabilities registered with Accommodative Services?

No. Some students with disabilities choose not to register with Accommodative Services, or may not meet the eligibility criteria for services. In either instance, faculty are not required to provide accommodations for such students.

Q6: Who is responsible for determining reasonable accommodations?

Accommodative Services determines who is eligible for approved accommodations. Decisions regarding accommodations are based on documentation provided by the student with a disability, as well as the student's functional limitations.

Q7: When is a student required to notify me of a need for an accommodation?

Accommodative Services strongly encourages registered students to meet with their professors at the beginning of each term to discuss the approved accommodations listed in their Accommodation Letters. However, students can register with Accommodative Services or meet with you to discuss their approved accommodations at any time during the term.

Q8: Besides the Accommodation Letter provided by Accommodative Services, am I allowed to request additional documentation from a student?

No. Documentation stating and describing a student's disability is confidential information. All documentation for registered students is kept with Accommodative Services.

Q9: Do I have any recourse if I disagree with the approved accommodations and feel they fundamentally alter the program?

If you are concerned that the approved accommodations fundamentally alter an essential component of your course, or if you have other questions or concerns, please contact Shelly Shinebarger, Director of Accommodative Services, at ext. 8785.

Q10: If a student discloses a disability midway through the term, am I required to accommodate previously submitted work in the course?

No. Accommodations are not retroactive. Students are encouraged to disclose their disability early in the term so that the approved accommodations can be implemented. It is their responsibility to meet with you to discuss how approved accommodations will be implemented. You are not required to retroactively accommodate coursework that has already been submitted for evaluation.

Q11: I received an Accommodation Letter for a student in my class who has never discussed with me or used the approved accommodations. What is my responsibility in this situation?

It is up to the student to determine and to communicate when and under what circumstances approved accommodations are needed.

Q12: Am I required to lower standards for a required assignment because the student has a disability?

No. The standards should be the same for all students. Some students with disabilities may exhibit their knowledge, production, or other course expectations differently than their peers. Accommodations are designed to address those differences, but the quality of the end result should be the same as what is expected from all students.

Q13: I have a student with a disability who is getting behind in his coursework. The student has missed a number of classes and has not handed in several assignments. Although he has taken a midterm and used accommodations, at this point he is not passing the class. Do I have the right to fail a student with a disability?

It is important for instructors to remember that providing reasonable accommodations to a student with a disability does not guarantee success in the course. Students with disabilities may not master the course material, just like any other student. Students with disabilities have the same right as other students to fail as part of their educational experience.

Q14: What do I do about a student with a disability who is misbehaving, threatening, or rude?

All students are expected to abide by the policies and rules set forth in Union College's [Student Handbook](#). A student with a disability who is disruptive in class should be treated by an instructor just like any other student who is disruptive in class would be treated. If an instructor feels that there is a disability-related reason for the student's behavior, the instructor should contact Shelly Shinebarger, Director of Accommodative Services, to determine if there is a solution to the problem or strategies for addressing the behavior.

Q15: I have a student who is having difficulty in my class. I think this student may have a disability. What should I do to help the student?

Talk privately with the student to discuss your observations. Do not assume that the student's difficulties are a result of a disability. After speaking with the student, suggest/refer the student to helpful [campus resources](#). If the student discloses that he or she does have a disability, refer the student to Accommodative Services for more information and possible assistance.

Q16: How should I communicate my policy on providing reasonable accommodations in my class?

Accommodative Services recommends, at a minimum, that all faculty members include a statement in their syllabi regarding reasonable accommodations. Such a statement makes it clear to students that you are aware that some students require accommodations. It also will help them be more comfortable and forthcoming in

discussing their approved accommodations with you. Below are two examples of syllabus statements. You may adapt them or develop your own. (See Qs 18 and 19 for additional syllabus guidance.)

- Syllabus Statement: If you have a specific disability that qualifies you for academic accommodations, please provide a letter from Accommodative Services as soon as possible and then we can meet to discuss any necessary special arrangements. Untimely notice could result in a delay in the receipt of reasonable accommodations.
- Syllabus Statement: It is the policy of Union College to make reasonable accommodations for qualified individuals with disabilities. If you are a person with a disability and wish to request accommodations to complete your course requirements, please make an appointment with me as soon as possible to discuss your request and/or contact Accommodative Services at 388-8785. No accommodations will be provided without a letter from Accommodative Services.

Q17: Do I have to allow students to use technology in my courses?

There are instances when a student registered with Accommodative Services will need to use various technologies during your class. These will be outlined in the Accommodation Letter. This may include, but is not limited to, a laptop to take notes, assistive technology to audio record class lectures, and other types of technology as needed.

Q18: What if I have a policy specifically banning the use of laptops?

If a laptop is an approved accommodation, a policy modification for the student with a disability is reasonable. In order not to publicly identify the student with a disability, faculty are encouraged to state on the syllabus something like the following: "Exceptions for the use of a laptop may be granted for compelling reasons at the discretion of the instructor."

Q19: Do I have to alter my attendance policy?

No. You are under no obligation to alter or waive your attendance policy. However, you are strongly encouraged to identify and determine how much attendance is considered an essential part of your courses. Accommodative Services may make recommendations to faculty about unique circumstances where reasonable attendance

considerations would be beneficial. It is always good practice to clearly state on your course syllabus your attendance requirements.

Q20: I have a student who is approved for testing accommodations, including extended time and a distraction limited environment. How should I handle these exams?

You should discuss with your student the options for implementing such testing accommodations. Faculty are encouraged to provide approved testing accommodations within their departments when possible because doing so often allows for easier access to faculty during exams should a student have questions; however, Accommodative Services' [Testing Center](#) is available as an alternative resource for registered students with approved testing accommodations.

Q21: If I design an exam to take a certain amount of time and then allow all students in the class extra time to complete it, does that meet the accommodation need for students with extended time accommodations?

From a compliance standpoint, extended time for students with exam accommodations (usually 1.5x or 2.0x additional time) is based on what the class receives. As an example, if you design an exam so that it should take students 40 minutes to complete it, but offer the entire class up to 80 minutes to complete it, you would need to ensure that a student with 1.5x extended time has 120 minutes to complete it.

For additional guidance, see [Faculty Handbook - Accommodative Services](#).