Two of the primary laws related to disability and higher education are:

- **Title II of the Americans with Disabilities Act of 1990, Amendments of 2008**: No otherwise qualified person with a disability in the United States shall solely by reason of disability be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity receiving federal financial assistance.

- **Section 504 of the Rehabilitation Act of 1973**: prohibits discrimination of qualified individuals with disabilities to service availability, accessibility, delivery, employment, and the administrative activities and responsibilities of organizations receiving federal financial assistance.
DISABILITY SERVICES (DS) STUDENT REGISTRATION PROCESS

- Student provides documentation of disability from licensed professional to DS
- Student meets with DS for intake interview
- Proposed accommodations are reviewed by AAEC for approval (meet every 2 weeks during the academic year)
- If approved, Letter of Accommodation is sent via email from DS to each instructor with student’s edu email copied
- Instructor signs and returns Letter of Accommodation to DS within 7 days
- Unreturned Letters of Accommodations will be deemed approved and instructor will be expected to provide the accommodation
IS THE ACCOMMODATION REASONABLE?

**Reasonable accommodations** (may include, but not limited to):
- Testing in DS or separate, non-distracting location
- ASL interpreters
- Assistance with lecture notes
- Extended time on exams/quizzes/in-class assignments
- Flexible due dates on assessments and assignments
- Use of a digital recorder
- Use of instructor approved memory aid/note cards for assessments

**Unreasonable accommodations** is anything that:
- Fundamentally alters the nature of the course
- Causes significant disruptions
- Is very costly
- Fundamentally alters the essential requirements of an academic program (course or degree requirements)
ACCOMMODATION DENIALS

- Consult with DS, AAEC, and/or ADA/504 Coordinator, Shawn McCann (ESO)
- Document decision and reason for denial on Letter of Accommodation
- Obtain signature from supervisor
- Both instructor and supervisor must facilitate a reasonable alternative to the accommodation
- Notify DS of decision
FACULTY RESPONSIBILITIES OVERVIEW

- Review, approve, and sign student’s Letter of Accommodation
- Consult with DS when questioning an accommodation
- Meet with supervisor and document reason for accommodation denial and a reasonable alternative
- Submit exams to DS upon notification from student
- Submit Adaptive Testing Form to each exam for each student
- Include Office of Disability Services statement on syllabus
WHAT NOT TO DO

- Ask questions of the student related to their disability
- Discuss the accommodation or identify the student to the class
- Make assumptions of the disability
- Minimize the disability
- Discuss the possible belief that the student is receiving an “unfair advantage”
- Take any action against the student for the request
NO RETALIATION

Retaliation includes, but is not limited to, any adverse employment or educational action, any actual or threatened retaliation, and any act of intimidation to prevent or otherwise obstruct reporting. Retaliation may be considered a separate violation of policy and may result in disciplinary sanctions.

UHD will not tolerate retaliation against those who:

- Make a report of sexual misconduct
- Request an accommodation
- Assist with the accommodation request
- Oppose any practice forbidden by Title IX, ADA or Section 504, filed a charge, participated with an investigation, proceeding, or hearing