



# Faculty and Staff Handbook: Students with Disabilities

Office of Disability Services

Jennifer Lucero, M.S.Ed.  
Coordinator of Disability Services  
& Testing Center

## Contents

|  |    |
|--|----|
| Our Mission .....  | 3  |
| I. Introduction .....  | 3  |
| A. Who are the Key Players?.....   | 4  |
| B. Why Accommodate?.....   | 5  |
| C. The Right to Accommodations .....   | 5  |
| Reasonable Accommodations .....  | 6  |
| Unreasonable Accommodations.....   | 6  |
| II. General Etiquette.....   | 6  |
| III. Black Hills State University Resources .....  | 7  |
| A. Office of Disability Services.....  | 7  |
| B. Testing Center at Black Hills State University .....  | 7  |
| IV. General Considerations for Students and Faculty.....   | 8  |
| A. Responsibility of Students .....  | 8  |
| B. Responsibility of Faculty .....   | 8  |
| C. Shared Responsibilities.....  | 9  |
| D. Service Animals and Assistance Animals (also referred to as Therapy/Emotional Support Animal) Policy..... | 10 |
| V. Specific Disabilities and Accommodations.....   | 10 |
| A. Learning Disabilities.....  | 10 |
| B. Mental Health/Psychiatric Disabilities.....   | 11 |
| C. Mobility Impairments .....  | 11 |
| D. Head Injury/Traumatic Brain Injury .....  | 12 |
| E. Deafness & Hard of Hearing.....   | 12 |
| F. Blindness/Low Vision .....  | 13 |
| G. Health Related Impairments .....  | 14 |
| H. Temporary Medical Conditions:.....  | 14 |
| VI. Test Taking Policy for Extended Time Testing.....  | 15 |
| A. Initial Testing Accommodations Procedure.....   | 15 |
| B. Student Responsibilities.....   | 15 |
| VII. Note Taking Procedure.....  | 15 |
| VIII. Frequently Asked Questions .....   | 16 |
| Special Services .....   | 20 |
| References.....  | 21 |
| Appendix A.....  | 22 |
| <b>STUDENT NAME:</b> .....   | 22 |
| REGULARLY SCHEDULED.....   | 22 |
| RETURN DELIVERY METHOD .....   | 22 |

## Our Mission

The Office of Disability Services provides a full complement of services consistent with the needs of students with disabilities as well as special needs through partnerships with students, faculty and staff; we promote self-awareness, self-determination and self-advocacy to enhance opportunities for academic success. The Office of Disability Services adheres to the compliance standards related to ADA, FERPA, HIPAA and SDBOR.

The Office of Disability Services assist students with documented disabilities. These include, but not limited to the following: Learning Disabilities, Attention Deficit/Hyperactivity Disorders, Psychiatric Disorders, Sensory Disabilities, Physical Disabilities and Health Impairments. Students registered with the Office are provided reasonable accommodations, on a case-by-case basis, to afford equal opportunity with respect to the institution's programs, activities and services. Reasonable accommodations might include extended time for exams, exams given in a low distraction reduced setting, peer note takers in class, audiotaping of class lectures, sign language interpreters, books on tape, brailled books or class material. Our goal is to create accessible environment in which to help students become independent, with the skills and abilities necessary to participate in their own self post-secondary experience.

The Office of Disability Services provides referrals to supportive services for students and faculty, including crisis intervention, linkage to community resources, advocacy on behalf of students and faculty, and education on various issues such as, but not limited to, mental health and substance abuse.

## I. Introduction

Students with disabilities at institutions of higher education are similar to other students except for the impact that their disability has on their access to all aspects of the educational environment. That more and more students are beginning to recognize disability related symptoms, pursue assessment of potential disabilities, and self-identify their disability with college based Disability offices, is a good indication that a greater awareness exists among administrators and faculty of the presence of disabilities in higher education.

While students with disabilities are entering the college community at greater rates than was previously the case, the greatest increase in registration can be traced to students with "hidden disabilities", such as learning disabilities and mental health related issues. According to the 2011 Spring survey by the American College Health Association National College Health Assessment II, 3.8% of students report having a learning disability. In addition, mental health is one of the fastest growing populations on college and university campus. In the 2011 survey, for example, 10.7% of college students reported being diagnosed or treated for depression within the past 12 months.

Much recent legislation initiatives have also helped to remove former obstacles for students with disabilities who wish to pursue degrees in higher education. For example, Section 504, subpart E of the Rehabilitation Act of 1973 and the more recent Americans with Disabilities Act, as Amended (2008, effective March 2011) state the institutions of higher education are required to provide appropriate and reasonable accommodations for students who have a documented disability. The ADA Amendments Act (ADAAA) legislation reduces the degree of importance placed on how severe a disability is with an aim to avoid discrimination based on the presence of the disability. Thus, it is easier for students to receive appropriate accommodations for their disability.

At the post-secondary level, however, *registered students need to self-identify* the existence of their disability and provide adequate documentation in order to receive services. Students with disabilities must therefore move from a high school environment, where they were carefully guided and individually instructed, to a setting in which they are expected to achieve on their own. They often move from the protection of a local educational agency, where they received Special Education services, to an environment in which the burden is on the student to inform the college about his/her disability and the need for services.

Although great strides have been made toward providing educational opportunities to students with disabilities, barriers to academic success continue to be evidenced by stereotypical reactions of faculty, staff, and students to student's disabilities. Yet, students with disabilities report that faculty attitudes are an important part of implementing successful academic accommodations in higher education (Burgstahler, 2000). Research also indicates students with disabilities are generally less involved in campus activities, experience higher attrition rates, and experience less academic success than their peers without disabilities experience.

It is the goal of this handbook to provide faculty and staff members with information concerning the definition and recognition of disabilities, and to make mention of the numerous student service options and accommodations which exist on campus, to ensure Black Hills State University delivers the highest quality educational experiences through its teaching and support services, for a diverse campus community that includes students with disabilities. The Office of Disability Services seeks to implement and support the University's commitment to success in education in a barrier free environment.

## A. Who are the Key Players?

Accommodating students with disabilities in higher education is a shared responsibility. Faculty, Students, and the Office of Disability Services must work together to coordinate reasonable accommodations for students with disabilities who request support. Coordinated efforts and supports from departmental, administrative, facilities, and other student service personnel are crucial to enhancing the overall accessibilities of the postsecondary learning environment for students with disabilities. As an educator, your efforts can contribute to greater academic and career success for the students you serve. Knowledge of legal issues, accommodation strategies, and campus resources for students with disabilities can facilitate their success. Faculty and staff who have interacted with students with disabilities generally have more positive attitudes about working with these students. The services on campus are designed to support both students with disabilities and faculty. The Office of Disability Services is a key resource when working with students with disabilities. It is typically the responsibility of the Office of Coordinator of Disability Services to:

- Maintain confidential records of the student's disability.
- Recommend and coordinate accommodations (i.e. audio books, extended time on tests, etc.)
- Campus ADA Compliancy/Accessibility
- Arrange for special equipment (e.g. assistive technology)
- Provide other resources/referrals for students with disabilities outside the University, within Community.

The Coordinator of Disability Services should also be able to answer questions and provide details about policies, procedures and legal and compliance issues related to meeting the needs of students with disabilities.

## B. Why Accommodate?

The federal government has made it clear that postsecondary institutions must provide reasonable accommodations to otherwise qualified students with disabilities to ensure access to educational opportunities.

Reasonable accommodations must be provided to eligible students with disabilities in order for them to *access* essential course content and essential learning activities. Types of academic coursework to which students with disabilities need access include lectures, written assignments, field or lab work, exams, class discussions, internet research, and/or participation in class activities. Some examples of reasonable accommodations in postsecondary settings include sign language interpreters, preferential seating, and note takers, usage of assistance technology, test accommodations, and classes in accessible locations. Some students with disabilities require the same accommodations in all courses. Other students may need a range of accommodations for a various lecture, lab, discussion, and fieldwork activities. Therefore, the flexibility of and communication between students, Coordinator of Disability Services, and Instructors are critical to implementing accommodations in a timely and effective manner.

## C. The Right to Accommodations

A person with a disability means: “any person who has a physical or mental impairment which substantially limits one or more major life activities including walking, seeing, hearing, speaking, breathing, learning and working; has a record of such impairment; or is regarded as having such an impairment.”

Examples of disabilities that can impact a student in post-secondary education include, but are not limited to, certain medical issues (AIDS, Cancer, Cerebral Palsy, Diabetes, Epilepsy), head injuries, hearing impairments, learning disabilities, loss of limbs, Multiple Sclerosis, Muscular Dystrophy, psychiatric disorders, speech impairments, spinal cord injuries, and visual impairments.

Many of the conditions listed may limit individuals’ abilities to perform specific life tasks. Some of these conditions are visible, while other conditions, such as learning or psychiatric disabilities, are “invisible”. Individuals with the same diagnosis may present a range of symptoms and functional limitations. For example, an individual with Cerebral Palsy may need to use a wheelchair, be unable to speak, and require a personal assistant for self-care. Another person with Cerebral Palsy may walk with a cane and manage all personal care tasks and communication independently. Likewise, an individual with a learning disability may have difficulties with reading, writing, math and/or processing verbal communication. Clearly, each individual brings with them a unique set of needs when entering postsecondary education settings. In all cases, the institution has a responsibility to provide reasonable accommodations to ensure comparable program access to qualified students with disabilities.

The design of a product or environment that is flexible and meets the needs of a wide range of users can eliminate or minimize the need for specific accommodations for a person with a disability. For example, an individual with mobility impairment may fully participate in most life activities if the buildings, transportation, and facilities he/she uses are wheelchair accessible. However, when he/she cannot accept a job or attend a class because the work site or classroom environment is not accessible, he/she is being excluded because of an architectural barrier that prohibits access. Similarly, captioning on video eliminates the need for an accommodation for a deaf student.

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, as Amended (2008) prohibit discrimination against individuals with disabilities and mandate the provision of reasonable accommodations to ensure equitable access to programs and services.

The following are examples of reasonable and unreasonable accommodations that can be provided by the institution:

### **Reasonable Accommodations**

- Providing written communication (in alternative formats)
- Extended time on tests, quizzes and in-class assignments
- Alternate testing site for exams and quizzes
- Assistive Technology within the classroom
- Reassigning services to accessible locations
- Altering existing facilities and building new facilities

### **Unreasonable Accommodations**

- Personal Devices such as:
  - Hearing aides
  - Wheelchairs
  - Glasses
- Modifications to standard degree format
- Assignment of a personal aide
- Unlimited time for out-of-class assignments

Students with disabilities who desire academic accommodations **must** register with the Office of Disability Services and provide proper documentation of their disabilities. This office will determine the accommodations, if any, which are reasonable for the student. Many students with disabilities do not identify themselves as having a disability because they do not feel they need academic accommodations. The need for accommodations depends on a student's needs and course requirements. Ultimately, a student with a disability requires alternative arrangements only when faced with a task that requires skill that his/her disability precludes.

Black Hills State University, as an institution of higher education that receives federal financial assistance, is legally bound to prohibit discrimination in the recruitment process, the admission process, and the education process of students with disabilities. Under the provisions of Section 504 of the Rehabilitation Act of 1973, Black Hills State University may not:

- Limit the number of otherwise qualified students with disabilities admitted;
- Mark pre-admissions inquires as to whether an application has a disability;
- Exclude an otherwise qualified student with a disability from any course of study;
- Counsel students with disabilities into a more restrictive career path than is recommended to students who are non-disabled;
- Measure student achievement using modes that adversely discriminate against a student with a disability;
- Establish rules and policies that have the effect of limiting participation of students with disabilities in an educational programs or activities.

## **II. General Etiquette**

There are both acceptable and unacceptable terms used when writing or talking about people with disabilities. Below is a list of some of the acceptable and unacceptable terms used to write or talk about people with disabilities:

## Acceptable Terms

- Persons, person with disability
- Persons with cerebral palsy, people with a Cord injury, muscular dystrophy
- Deafness/Hard of Hearing (“Deafness” refers to a person who has a complete loss of hearing and “hard of hearing” refers to partial loss of hearing within a range of mild to severe.)
- Person who has a mental or developmental Disability
- Uses a wheelchair or crutches; a wheelchair user, Walks with crutches
- People who do not have a disability

## Unacceptable Terms

- Handicap, handicapped person
- Cerebral palsied, spinal cord injured, etc.
- Never identify people solely by a disability. “She’s the blind lady or he’s the man in the wheelchair”.
- Deaf and Dumb. (This is as bad as it sounds. Inability to hear or speak does not suggest less intelligence)
- Psycho, nut, crazy, “Schizo”, psychiatric schizophrenic, retarded, idiot
- Confined/Restricted to a wheelchair or wheelchair bound. (Most people who use a wheelchair for mobility do not regard them as confining).
- Normal (when used as the opposite of Disabled implies the person with the disability is abnormal)

Overall, it is important to remember people with disabilities are human beings and some human beings sometimes have disabling conditions.

*(Taken and adapted from Oklahoma Disability Etiquette Handbook, from the Office of Handicapped Concerns, Oklahoma City, 2008)*

## III. Black Hills State University Resources

### A. Office of Disability Services

Office of Disability Services provides a variety of services to students with disabilities based on individual documentation and need. Our responsibility is to provide reasonable accommodations on a case-by-case basis and to provide an equitable opportunity for students to participate in the institution’s programs, activities, and services. The Office of Disability Services is the official contact for students with documented disabilities who wish to request appropriate accommodations. It is the responsibility of the student to identify him/herself and make requests to Office Disability Services in order to receive the appropriate accommodations. The staff of the Office of Disability Services will try to assist students to the best of their ability. The staff of the Office of Disability Services will also act as a conduit between the faculty of the University and the students in the event of any questions or concerns arise.

Some of the specific responsibilities of the Office of Disability Services include:

- Maintenance of confidential records of students’ documentation
- Implementation/coordination of accommodations
- Provision of note takers, readers, books on tape, etc.
- Providing referrals to services on campus.

### B. Testing Center at Black Hills State University

Students are responsible for learning and adhering to all of the testing center policies. The student and faculty member are to discuss prior to any test, quiz or assignment the arrangements for the testing center, if utilized.

\*\*\*See **Appendix A** for Testing Cover Sheet for Alternate Setting / Extended Time testing accommodations. Please be sure to complete this form and include with exams and/or quizzes.

## IV. General Considerations for Students and Faculty

Specific suggestions for providing accommodations and learning strategies for students with disabilities will be offered in the following sections that are devoted to each disability.

### A. Responsibility of Students

It is the responsibility of the student to identify himself/herself to the Office of Disability Services and to provide documentation of the disability by a qualified professional. The student will consult with the Office of Disability Services to determine specific accommodations that will be required while he/she is a student at Black Hills State University. The student will provide any notification to instructors of his/her required accommodations. The student will be encouraged to meet with his/her instructors at the beginning of the semester to discuss any arrangements for accommodations in each course.

**Students with disabilities must maintain the same responsibility for their education as students who do not have disabilities.** This includes maintaining the same academic levels, maintaining appropriate behavior and giving timely notification of any need for accommodations. If any student should violate the code of conduct, please refer them to the appropriate office of Dean of Students.

### B. Responsibility of Faculty

While students must be able to comprehend the course material and communicate comprehension to the instructor, accommodations should give the student the opportunity to achieve that outcome, so long as the accommodation does not alter the essential components of the course or program. It is the responsibility of faculty to cooperate with the Office of Disability Services in providing authorized accommodations and support services for the students with disabilities in a fair and timely manner. Faculty should meet with students who provide an accommodation letter to establish the means to providing the accommodation as early in the semester as possible. Students should initiate this meeting, but faculty members are encouraged to take the initiative when the students are reluctant to self-advocate.

If a student requests a Faculty provide accommodations for a disability and the faculty member has no official documentation of the student's need for accommodation, it is important the Faculty provide the student with the Office of Disability Services' contact information. If the disability is apparent and requires immediate accommodations, the faculty member should provide the proper accommodation while the paperwork with Disability Services is being completed.

Details and/or the specifics of a student's disability are confidential. A student may not be asked nor expected to share their diagnosis or details to any other entity other than the Office of Disability Services. Should a student choose to offer this information they may. A student may explain how their disability will affect them within the course.

Faculty cannot refuse to provide required accommodations, question whether the disability exists when accommodations have been authorized by the Office of Disability Services, nor request to examine the student's documentation without written consent signed by the student. However, faculty members can have input and should arrange with the students the means for providing the accommodation for a particular course. If a faculty



member has questions or concerns about the appropriateness of a required accommodation, he or she should consult with the Coordinator of Disability Services.

## C. Shared Responsibilities

Students with disabilities have the first responsibility to report their needs to the Faculty members after completing the registration process with Disability Services. Faculty members are not required to anticipate the need for accommodations. Faculty/staff members should keep students in mind when making special class arrangements such as field trips and pop quizzes. In addition, it is good practice to have a statement on all course syllabi that informs student of the need to request accommodations with the Office of Disability Services.

### **“Disability/ADA Accommodations Statement”**

Black Hills State University strives to ensure that physical resources, as well as information and communication technologies, are accessible to users in order to provide equal access to all. If you encounter any accessibility issues, you are encouraged to immediately contact the instructor of the course and the Office of Disability Services Coordinator - Jennifer Lucero, at 605-642-6099, fax number 605 642 6478, or via email at [Jennifer.Lucero@bhsu.edu](mailto:Jennifer.Lucero@bhsu.edu) which will work to resolve the issue as quickly as possible.

If a student should disclose a disability, faculty/staff members should direct the student to the Office of Disability Services on campus and provide the contact information. Faculty are encouraged to inform the student after the student registered with the Office of Disability Services, the faculty member will be notified of the necessary and approved accommodations.

Students with disabilities should never be discouraged from a specific field of study if he or she meets the admissions requirements, has the appropriate grades, and is otherwise qualified. In essence, faculty/staff members are responsible for providing the students with the opportunity to learn and the student is responsible for maintaining academic standards.

The following is a summary of what faculty can do to aid in the provision of accommodations and support students with disabilities:

- During the first class and on the syllabi, announce if anyone has a disability or believes they may, to contact the Office of Disability Services and provide contact information.
- Disability details/specifics are confidential.
- Make disability related announcements globally (to entire class). Avoid addressing the student/s with a disability directly within the classroom. Should direct communication be necessary please arrange for private meeting.
- Know about the support services on campus and direct students when appropriate.
- If the student does not approach you but you have received an Accommodation Notice, meet with the student privately should further communication be necessary. Discuss your policy regarding how to set up exams in Testing Center.
- If a student requests an accommodation *without* an Accommodation Notice from the Office of Disability Services, refer the student to the office. You are not obligated to provide any unauthorized accommodations at a student’s request.
- Make lectures and notes easy to understand and make assignments clear.
- Allow preferred seating for students with disabilities.
- Be flexible with the content and format of assignments and exams (i.e.: oral exams, Braille, Audio tape). Give extra time if supported by an Accommodation Notice.

- Be supportive, but not overly solicitous.
- Academic standards should be consistently applied to students with disabilities and students without disabilities.
- If you are having difficulties with a student registered with the Office of Disability Services, please contact Office to discuss and together with the student address the concerns.

#### D. Service Animals and Assistance Animals (also referred to as Therapy/Emotional Support Animal) Policy:

*\*policy posted at the following link:*

**Policy 3:3:** <https://www.bhsu.edu/portals/0/pdf/policies/3.3-Service-Animals.pdf>

**Request Form:** <https://www.bhsu.edu/portals/0/pdf/policies/Emotional-Support-Animal-Request-Form.pdf>

### V. Specific Disabilities and Accommodations

A disability may or may not affect the participation of a student in your class. In post-secondary settings, students are the best source of information regarding their specific needs. They are responsible for disclosing their disabilities and requesting the accommodations to the Office of Disability Services. To create a welcoming environment, include a statement in your syllabi regarding Disability Services on campus. Flexibility and effective communication between the student and Faculty are key when arranging accommodations. Although students with similar disabilities may require different accommodations, it is useful for faculty to be aware of typical strategies for working with student who have various types of impairments.

#### A. Learning Disabilities

Several definitions of specific learning disabilities exist. The definition most used in higher education is that of the U.S. Department of Education, Rehabilitation Services Administration. This definition states that a specific learning disability is a disorder in one or more of the central nervous system processes involving in perceiving, understanding, and/or using concepts through verbal (spoken or written) language or nonverbal means. This disorder manifests itself with a deficit in one or more of the following areas: attention, reasoning, processing, memory, communication, reading, writing, spelling, coordination, calculation, social competence and emotional maturity.

Examples of accommodations for students who have a specific learning disability include but not limited to:

- Peer Note Takers
- Audio Tape of Lectures
- Captioned Films
- Extended time on Exams
- Alternative text format
- Computer with speech output, spellchecker, and grammar check
- Other Assistive Devices

For more information on the different types of learning disabilities and the accommodations that can be provided, please visit one of the following websites:

- <http://www.abilityhub.com/> - Ability Hub – Assistive Technology Solutions Abilityhub.com’s purpose is to help in finding information on adaptive equipment and alternative methods available in accessing computers.
- <http://www.ahead.org/> - Association on Higher Education and Disabilities. AHEAD is an international, multicultural organization of professionals committed to full participation in higher education for persons with disabilities. \*NOTE- Black Hills State University is a member of this association.
- <http://www.ncid.org/> - National Center for Learning Disabilities- the NCLD works to ensure that children, adolescents and adults with learning disabilities have every opportunity to succeed in school, work and life.

## B. Mental Health/Psychiatric Disabilities

These disabilities, which affect daily living, include but not limited to the following: Bi- Polar disorder, Anxiety Disorders (OCD, Generalized Anxiety, Social Phobia, Specific Phobia, etc.) Post Traumatic Stress Disorder (PTSD), Autism Spectrum Disorders, Dissociative Disorders, and Selective Mutism). Students diagnosed with a mental illness are one of the fastest growing populations on college campuses. According to ACHA, 19% of University students reported they have experienced depression over the past 12 months and 13% reported having experienced an anxiety disorder over the last 12 months (2008).

Examples of accommodations for students with these conditions might include:

- Peer Note Takers
- Extended time on quizzes, exams
- A low distracting testing area
- Modification of class presentation requirements
- Additional excused absences and assignment extensions:
  - Considered on a case by case basis.

For more information on mental/psychological illnesses and the accommodations that can be provided, please refer to one of the following websites:

- <http://www.acha-ncha.org> – American University Health Association – National University Health Assessment.
- <http://www.nimh.nih.gov/> - The National Institute of Mental Health – “The NIMH mission is to reduce the burden of mental illness and behavioral disorders through research on mind, brain, and behavior”.
- <http://www.adaa.org/> - Anxiety Disorder Association of America – The Anxiety Disorders Association of America (ADAA) is dedicated to the prevention, treatment, and cure of anxiety disorders and to improving the lives of all people who are affected by them.
- <http://www.nmha.org/> - Mental Health America

## C. Mobility Impairments

Mobility Impairments may make walking, sitting, bending, carrying, or using fingers, hands or arms difficult or impossible. Mobility impairments result from many causes, including amputation, polio, clubfoot, scoliosis, spinal cord injury, and cerebral palsy.

Typical accommodations for students with mobility impairments include:

- Peer note takers
- Lab Assistant

- Classroom, Labs and Field Trips in Accessible Locations
- Adjustable tables, lab equipment located within reach
- Class Assignments made available in electronic format
- Specialized Computer Equipment

## D. Head Injury/Traumatic Brain Injury

More than 1 million people incurring head injuries each year are between the ages of 15 and 28. Brain injury can result from two types of trauma: 1) external events such as closed head trauma or 2) internal events, such as cerebral vascular accident or tumors. The consequences of brain injury are many and complex. Understanding how brain function is different after injury has much greater implications for education than knowing the cause or type of the injury.

Examples of accommodations for students with these conditions include:

- Peer Note Taker
- Low distraction testing setting
- Extended time on in class assignments, tests, quizzes
- Memory Aids
- Different methods of class participation

There is great variation of the possible effects of a head injury on an individual. However, most injuries result in some degree of impairment in the following functions:

- Memory
- Expressive/Receptive Communication
- Speed of Thinking
- Communication – Language Functions
- Spatial Reasoning
- Conceptualization
- Executive Functions
- Psychological Behaviors
- Motor, Sensory, and Physical Abilities

For more information on head injury/traumatic brain injury and the accommodations, which can be provided, please refer to the following websites:

- <http://www.biausa.org/> - “The Brain Injury Association of America (BIAA) is the leading national organization serving and representing individuals, families and professionals who are touched by a life altering, often devastating, traumatic brain injury (TBI).”
- <http://www.montgomerycollege.edu/dss/brain-inj-htm> - This website provides an understanding of people who have brain injuries. Faculty and staff can learn about how to accommodate, communicate with these individuals, as well as instructional considerations.

## E. Deafness & Hard of Hearing

The two main types of hearing loss are sensor neural (nerve deafness which involves impairment of the auditory nerve) and conductive hearing impairedness (usually a dysfunction of a part of the ear mechanism). Hearing loss is measured in decibels, and according to the decibel count, the loss may be mild, moderate or profound. Hearing impairments make it difficult or impossible to hear lectures, access multimedia materials, and participate in class.

Examples of accommodations for students who are deaf or hard of hearing:

- Interpreter
- Peer note taker
- Open or closed caption films, use of visual aids
- Written assignments, lab instructions and demonstration summaries
- Visual warning system for lab emergencies
- Use of electronic mail for class and private discussions

For more information on deafness and hard of hearing and the accommodations that can be provided please refer to the following website:

- <http://www.montgomerycollege.edu/dss/deaf-hoh.htm> - This website provides an understanding of people who are hard of hearing and are deaf. Faculty and staff can learn about how to accommodate, communicate with these individuals, as well as instructional considerations.

## F. Blindness/Low Vision

Blindness refers to an inability to see and/or read printed text, even when enlarged.

Low vision is used to identify those individuals, who have some usable vision, but cannot read standard size text, have field deficits (for example, cannot see peripherally or centrally but can see well in other ranges), or other visual impairments.

Typical accommodations for blindness include:

- Audio Taped, brailled or electronic formatted lecture notes, handouts and texts.
- Verbal description of visual aids.
- Raised line drawings and tactile models of graphic materials
- Braille lab signs and equipment labels, auditory lab warning signals
- Computer with optical character reader, speech output, Braille screen display and printer output.

Typical accommodations for low vision include:

- Seating near the front of the class (it may read preferential seating)
- Large print handouts, lab signs, equipment labels
- TV monitor connected to microscope to enlarge images
- Class assignments made available in electronic format
- Computer equipped to enlarge screen characters and images

For more information on blindness/low vision, and the accommodations, which can be provided, please refer to the following websites:

- <http://www.acb.org/> - American Council for the Blind
- <http://www.montgomerycollege.edu/dss/blind/htm> - this website provides an understanding of people who are blind or have low vision. Faculty and staff can learn about how to accommodate, communicate with these individuals, as well as instructional considerations
- <http://www.nfb.org/> - National Federation of the Blind – “The NFB improves blind people’s lives through advocacy, education, research, technology, and programs by encouraging independence and self-confidence”

## G. Health Related Impairments

Health Impairments involve the lungs, kidneys, heart, muscles, liver, intestines, immune systems, and other body parts (e.g., cancer, kidney failure, AIDS).

Examples of health related impairments may include but not limited to:

- Chronic
- Pain Lupus
- Epilepsy
- Cerebral Palsy
- Multiple Sclerosis
- Heart Disease
- Cancer
- Allergies
- Fibromyalgia
- Respiratory Disorders
- Muscular Dystrophy
- Arthritis
- Tourette's Syndrome
- Diabetes

Typical accommodations for students who have health impairments include:

- Medical Condition to Discuss with Faculty.
  - This accommodation signifies the student has provided evidence of a significant medical condition to the Office of Disability Services.
  - This does not excuse a student's absences or other obligations within the course.
  - This simply allows the student to discuss the ailment with faculty without divulging specifics, maintaining confidentiality.
- Peer Note Taker or copy of another students notes
- Flexible attendance requirements, pending medical documentation (within reason and determined by professor)
- Extended time on quizzes/tests
- Assignments made available in electronic format
- Use of Email to facilitate communication

For more information on health related impairments and accommodations, which can be provided, please refer to one of the following websites:

- <http://aafa.org/> - The Asthma & Allergy Foundation of America (AAFA) provides practical information, community based services and support through a national network of chapters and support groups
- <http://diabetes.org/> - "The American Diabetes Association provides diabetes research, information and advocacy 18
- <http://www.msfacts.org/> - Multiple Sclerosis Foundation provides a comprehensive approach to helping people with MS maintain both their health and well-being
- <http://www.washington.edu/doit/faculty/strategies/disability/health/> - DO IT (Disabilities, Opportunities, Internetworking, and Technology) serves to increase the successful participation of individuals with disabilities in challenging academic programs and careers

## H. Temporary Medical Conditions:

Students experiencing short term or temporary changes in their medical, functional or mobility status advised to meet with the Office of Disability Services. With authorization from the Office of Disability Services, you may request parking permits from Public Safety on a limited basis while on campus. The use of crutches, walker may indicate the need for such a special parking permit. Other assistance may be available upon request. If your condition becomes permanent, the student may want to register with the Office of Disability Services officially.

A temporary medical condition may not legally qualify as a disability and thus, may not be covered either under the Americans with Disabilities Act (ADA) of 1990 or under Section 504 of the Rehabilitation Act. Therefore, it is possible that students experiencing temporary medical conditions will not qualify for legally mandated accommodations. However, Black Hills State University recognizes temporary medical conditions may arise that can adversely affect a student's ability to fully participate in their academic endeavors. The Office of Disability Services will assist these students in coordinating short-term support both as a courtesy and as a demonstration of commitment to student support.

## VI. Test Taking Policy for Extended Time Testing

### A. Initial Testing Accommodations Procedure

Upon receipt of verification of the student's eligibility for extended testing time, the student and Faculty should discuss methods of examination. In the event Instructors are unable to provide additional time, the following alternative methods are available:

- The student can take the test in a division office, or classroom, provided the space is free of interruptions and a Faculty or Division designee is available.
- The student can take the test in the Testing Center on campus.

### B. Student Responsibilities

- Students are responsible for meeting with Instructors to discuss any exam accommodations they anticipate using (if applicable) in a timely manner (preferably, at the beginning of the semester).
- Students are responsible for scheduling the extra time on tests as close to the in class examinations as possible.
- Students must take the exam in the agreed upon location, at the time specified. Any changes need to be cleared with the Faculty prior to beginning the exam
- The student and faculty member should discuss the extended timeframe approved by the faculty member.

## VII. Note Taking Procedure

If a student approaches you for a note taker:

- Please review the student's Office of Disability Services Accommodation Notice to verify Note Taker is an approved accommodation.
- If the student does not have a Disability Services Accommodation Notice suggesting Note Taker, please refer them to the Office of Disability Services.
- Without referring to the student any way, address the class in one of the following suggested manners:
  - The Office of Disability Services often requests copies of class notes in order to support students. The Office of Disability Services has requested notes from this course. It does not necessarily mean the student receiving notes is from this section; however, the Office of Disability Services would like a note taker from this class.
  - We acknowledge that being a student note taker is an added effort; therefore, whoever volunteers will be recognized. The note taker's name will be listed as a volunteer in the Office of Disability Services. This reference can be used on job applications and resumes, (i.e. volunteered as a note taker for the Office of Disability Services at Black Hills State University).
  - Being a note taker is very easy. You simply take your notes, as you usually would, but you will be provided a carbonless notebook. The carbonless notebook will make copies of your notes.

Remove the duplicate copy for yourself and hand in the carbonless notebook to the Faculty at the end of the class. Or you may make copies of your notes in the Office of Disability Services following the class and return to provide copies to your Instructor. If you typed your notes, provide a printed out or email copy to your Faculty at the end of the class.

- Choose the student volunteer, and direct the student to the Office of Disability Services.
- If no student volunteers, please notify Disability Services immediately so alternative arrangements can be made.
- All students receiving the accommodations of note takers and/or providing note taking, will be required to complete a copyright agreement with the Office of Disability Services.

## VIII. Frequently Asked Questions

**Q. Confidentiality:** Is the information regarding a student's disability and their academic need for academic accommodations confidential?

A. Privacy of student information, including that regarding a student's disability or accommodations needs, generally handled according to the Guidelines of The Federal Family Educational Rights and Privacy Act (FERPA). Personal information of this nature should only be shared with those people within the institution who have an educational need to know.

**Q. ANNOUNCEMENT:** How can I encourage students with disabilities to talk with me about their accommodations?

A. Announce at the beginning of a course that you are available to discuss instructional methods and appropriate course modifications with students who have documented disabilities and registered with the Office of Disability Services. In additional, include a note to this effect on your first day hand out. For example: Disability/ADA Accommodations Statement:

Black Hills State University abides by the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 that stipulates no student shall be denied the benefits of an education "solely by reason of disability". Disabilities covered by law include, but not limited to, learning, psychiatric, hearing, sight and mobility disabilities. If you have a disability that may affect your work in this class and for which you may require accommodations, please see the Coordinator of Disability Services, Jennifer Lucero, M.S.Ed., in the Lower Level of the EY Library, Room 003, so accommodations may be arranged. You may reach the Office of Disability Services by Office Visit, phone call (605) 642-6099 or Jennifer.Lucero@BHSU.edu

**Q. Confidentiality:** Is it acceptable to ask a student who is having obvious difficulties whether he/she has a disability or to refer the student to the office that provides disability services?

A. No. You should not ask directly about a possible disability for a couple of reasons. First, the Americans of Disabilities Act states that a public entity may not make unnecessary inquiries into the existence of a disability. These inquiries usually relate to hiring or pre-admissions screening, but when talking with students such inquiries should be avoided. A direct inquiry such as this could also be considered intrusive and insensitive. You may simply tell the student that you have noticed he/she is having academic difficulties and encourage him/her to speak with you about gaining assistance, just as you would any other student.

**Q. Qualified Students:** How do I know a student is qualified to receive Disability Accommodations?

A. At our campus a student who wishes to receive disability accommodations must register with the Office of Disability Services and provide documentation from an appropriate professional about his/her condition(s) before services rendered. Once a student is registered, Faculty is notified via an Accommodation Notice via email or hand delivered. Once a student is registered, faculty must



provide the academic accommodations that Office of Disability Services determined reasonable. If faculty have a concern or question, please speak with the Office of Disability Services.

**Q. Referrals:** How can I encourage students with disabilities to register with Disability Services?

A. You may make an announcement to your class and print a statement on your syllabi referring students to seek out Disability Services if needed. You may also encourage students to meet with you to discuss their learning needs. For example, you could say to a student: “I noticed that you seem to have difficulty organizing your paper. You might consider using some of the Student Support Services we have on campus such as the Office of Disability Services, Writing Lab, Health Services & Counseling.”

**Q. Tape Recording:** Can a Faculty member forbid a student with a Disability to use a tape recorder in class?

A. A Faculty member is typically required to allow a student to tape record the course if taping the class is determined to be an appropriate accommodations for a student’s disability. Tape recorders are specifically mentioned in Section 504 of the Rehabilitation Act as means as of providing full participation in educational programs and activities. Occasionally, classroom discussions reveal items of a personal nature about students. If open discussions tend to reveal personal information, it would be appropriate to ask the student with the Tape Recording Accommodation to turn off the tape recorder during these discussions. Faculty should be mindful to not single out any student but rather make an announcement to the class, as a whole if anyone should have a tape recorder on for lecture, now you need to turn off during this discussion part of the class. All Disability Services registered students are informed of the guidelines of tape recording when accommodations are arranged with the Office of Disability Services. The Accommodation Notice to faculty also specifies lecture only for tape recording, which the student provided a copy. Contact Disability Services with any questions or concerns about tape recording of lectures.

**Q. NOTETAKING/LiveScribePens:** A student in my class has a note taker as an accommodation. They have shared that they will be using a Livescribe/Smartpen to fulfill this accommodation. What is a LiveScribe Pen?

A. LiveScribe has two models of Smartpens – Echo and Pulse. A Smartpen is a computer in a pen with advanced processing power and substantial memory for handwriting capture, audio recording, and additional applications. What actually happens is that while the student is taking notes, the pen is video recording the words on the paper as it is audio recording what is being said at that particular moment. The student can go back later on and press the pen to a word on the notepaper and the pen will begin to reciting what was being said at that moment the student wrote the word. This eliminates the need for a peer note taker for many students and allows the student much more independence in providing their own need for accommodation.

**Q. Reasonable Accommodations:** How do I know if an accommodation is reasonable?

A. The Office of Disability Services determines which accommodations are reasonable, based on the student’s documentation and information concerning the essential components of a specific course or program. Once this determination made, faculty is provided an Accommodation Notice outlining appropriate accommodations. The student may also share with you accommodations that have been approved. You may contact the Office of Disability Services anytime you have any question or concerns. If the Office of Disability Services has concerns or questions about the nature of a course and appropriate accommodations, the Coordinator of Disability Services will discuss with the faculty member and/or Chair of the Department prior to the approval of accommodations.

**Q. Disagreements:** What if I do not agree with a recommended accommodation?

A. The University is required by federal regulation to establish formal grievance procedures for providing prompt and equitable resolutions of disagreements. When a dispute involves the conduct

of a course or academic program, those procedures provide for consultation between faculty member responsible for the course, and the Office of Disability Services. If appropriate the student would also be included.

1. Informal Grievance Process:

- a. Students with questions or a grievance about a decision made by the University related to reasonable accommodations should first communicate with the Coordinator of Disability Services. However, students are not required to complete an informal complaint first; a student can submit a formal complaint at any time. The University and student may agree to resolve any grievance informally at any time during any formal or informal process.

2. Formal Grievance Process:

- a. Students who wish to complete a formal appeal regarding accommodation decisions must submit a written appeal letter to the Vice President for Enrollment Management (VPEM), or designee. Written appeals should clearly define the basis of the appeal and a proposed resolution to the situation. Any relevant documentation should be enclosed with the appeal. The VPEM, or designee will develop an appropriate investigatory process depending on the circumstances surrounding the reasonable accommodation grievance. The VPEM, or designee, will respond to the student filing the appeal in writing within fifteen (15) working days of receiving the appeal.
- b. If the response of the VPEM, or designee, is not satisfactory to the student, he or she has five (5) working days, following the receipt of the response, to file an appeal with the University President's Office, or designee. All prior written responses related to the appeal be enclosed with this appeal. The President's Office, or designee will respond to the student filing the appeal within fifteen (15) working days of receiving the appeal. The decision of the President, or designee is final.

Q. Examinations: Some students with disabilities are provided extended time on examinations. Is this fair to the other students?

- A. The Rehabilitation Act and the Americans with Disabilities Act (ADA) states: "The results of an examination should accurately reflect an individual's aptitude or achievement level or whatever the test purports to measure, rather than reflecting an individual's impaired sensory, manual, or speaking skills." The courts have upheld repeatedly, that a lengthening of the standard examination period is an appropriate accommodation for some students with disabilities. For example, the Massachusetts Supreme Judicial Court ordered the state of Board of Bar Examiners to allow double time the standard time on the bar exam for an applicant with Dyslexia and Attention Deficit Disorder. Similarly, the State of District Court for the Western District of New York ruled that a State Bar applicant with a visual impairment must be allowed a four day examination period rather than the standard two-day period.

The standard extended time tends to be "time and half" of the standard allotted time deemed appropriate by the faculty administering the exam. However, there are always exceptions. Discretion should be used wisely between a student and faculty in determining the appropriate period. If an agreement cannot be made, please notify the Office of Disability Services immediately so resolution can be made.

Q. *Notice*: How are instructors informed a student needs an academic accommodation?

- A. Students who wish to exercise their right to disability related accommodations must provide the Office of Disability Services with documentation of their disability. After review if determined appropriate for accommodations to be put in place, the Office of Disability Services and the student

discuss the accommodations. Following the meeting, the Office of Disability Services will provide faculty with an Accommodation Notice.

If a student reports the need for Disability Services accommodations but you have not received a notice from the Office of Disability Services, please refer the student to the Office of Disability Services. The faculty member may contact the Office of Disability Services to inquire if the student is registered with the program.

If the student is not a registered student with Disability Services but requests accommodations, the decision is with the Instructor. Only if a student is registered with Disability Services and meets the requirements for accommodations, are you required to provide the agreed upon accommodations.

*Q. Failing:* May I fail a student with a disability?

A. Yes. It is possible to fail a student with a disability. The laws mandate **access** to education, not guaranteed success. When a faculty member has provided reasonable academic accommodations and the student does not meet the course requirements, and then failing a student is proper, lawful and warranted.

The following is a compliance checklist that may be helpful:

- Stand by academic standards and freedoms, which include full and equitable access to academic programs.
- Provide verbal and written notice to your students of your willingness to accommodate student needs. For example: “I encourage students with disabilities to discuss their accommodations with me before or after class, via email and/or during my office hours”.
- Communicate clear and concise expectations for performance to your students.
- Distinguish between essential and non-essential components of the course.
- Respect requests for reasonable accommodations. (The Office of Disability Services facilitates obtaining alternative formats)
- Permit students to use auxiliary aides and technologies that ensure access (examples: note takers, sign language interpreters, readers, scribes, tape recorders/players, assistive listening devices)
- Assure your course materials, whether printed or electronic, are accessible and available in alternative formats (examples: Braille, computer electronic text, large print, internet, CD/Cassettes).
- Consult with the Coordinator of Disability Services if you have any questions regarding a student requests for accommodations.
- Keep student disability related information strictly confidential.

*Q. Technology:* With all of the emerging technology and My Lab combinations that the Publishers are now offering, how do I ensure that I am able to provide equal access to the course material to every student in my class?

A. It is important to know that most of the MyLabs or homework manager software packages are inaccessible with Screen Readers. This means a student who is blind will not be able to utilize the benefits that the other students in the class have available to them. In these instances, it is necessary to provide an equitable arrangement for the student who cannot access the software. This can be very tricky because almost any alternative does not allow the student to have an equitable experience. This is true because the arrangement will often require the student to rely on someone else, which removes the freedom of independence that the other students are able to have when using the software. This should be kept in mind when deciding whether to adopt one of the packages for any courses.

## Special Services

If a student discloses or appears to be in need of additional support services outside of academics, please refer the student to the Office of Disability Services and/or Health Services and Counseling. Due to the student's right to privacy as well as the right to self-determination, minimal to no information may be shared with faculty members from the Office of Disability Services. However, please know all students seeking out supportive services, will be appropriately directed to the available resources on campus as well as within the community. If the Office of Disability Services or Health Services and Counseling should assess a student as a threat to themselves or others, appropriate steps will occur. If a student should disclose child abuse or adult abuse, appropriate mandated reporting will occur. If you as a faculty or staff member or have a student in need of guidance or assistance in any areas related to special services, please contact the Office of Disability Services or Health Services and Counseling.

## References

American University Health Association. (2008). *American University Health Association- National Health University Assessment. Reference Group Executive Summary Fall 2007*. Baltimore: American University Health Association.

Burgstahler, S. (2002). Accommodating students with disabilities: Professional development needs of faculty. *To Improve the Academy: Resources for Faculty, Instructional, and Organized Development*, 21, 181-183. 25



Testing Center  
1200 University Street Unit 9078  
Spearfish, SD 57799-9078  
Phone 605-642-6099

**Disability Services**  
**TESTING COVER SHEET**

**Note to faculty:**

The **Alternate Setting/Extended Time** testing accommodation(s) can be provided within a setting agreed upon by the student and instructor or at the Disability Testing Center located in the Lower Level of the Library, Room #003. You can contact the Disability Testing Center by phone at 642-6099.

Send to Unit 9078 if using campus mail or email to [Jennifer.Lucero@bhsu.edu](mailto:Jennifer.Lucero@bhsu.edu) if emailing **prior to the regularly scheduled time of the exam**. The completed exam will be returned to you according to your instructions. Thank you for your assistance.

**STUDENT NAME:** \_\_\_\_\_

**COURSE:** \_\_\_\_\_

**INSTRUCTOR:** \_\_\_\_\_

**REGULARLY SCHEDULED TIME & DURATION OF EXAM:** \_\_\_\_\_

**SPECIAL INSTRUCTIONS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RETURN DELIVERY METHOD**

\_\_\_ Instructor will pick up the exam    \_\_\_ Please mail to: Campus Mail Unit # \_\_\_\_\_

**Delivered by:** \_\_\_\_\_

**Date Test Taken:** \_\_\_\_\_

**Received by:** \_\_\_\_\_

**Test Start Time:** \_\_\_\_\_

**Returned by:** \_\_\_\_\_

**Test End time:** \_\_\_\_\_

**Date Returned:** \_\_\_\_\_