

# Student's with Disabilities in Higher Education

A College's Rights & Responsibilities

# The Laws

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- ***Section 504 of the Rehabilitation Act of 1973***
  - Requires that no otherwise qualified person with a disability be denied access to, or the benefits of, or be subjected to discrimination by any program or activity provided by any institution or entity receiving federal funding.

# The Laws (continued)

- **Section 504** (continued)

- Students in higher education must have equal access to:
  - Admissions into all programs
  - Participation in all courses
  - Participation in an integrated setting
  - Full use of equipment in the classroom
  - Modification of degree plan
  - Be supplied with auxiliary aids

# The Laws (continued)

- **Section 504** (continued)

- Students in higher education must have equal access to:

- Comparable housing
- Financial Assistance
- Benefits of job placement
- Physical education and athletics
- Counseling and guidance
- Use of all facilities

# The LAWS (continued)

- ***Americans with Disabilities Act***
  - Title I –
    - Covers nondiscrimination in employment activities.
  - Title II –
    - Subpart A – requires state and local government entities and programs be made accessible to persons with disabilities.
    - Subpart B – covers transportation and requires that public transportation be made fully accessible.

# The LAWS (continued)

- ***Americans with Disabilities Act*** (continued)
  - Title III – covers the accessibility and availability of programs, goods and services provided to the public by private entities.
  - Title IV – requires telecommunication services be made accessible to persons with hearing and speech impairments.
  - Title V – contains a miscellaneous provision that applies to all of the other titles.

# The Laws (continued)

- ***ADA Terminology***

- Person with a disability

- Is someone with a physical or mental impairment that substantially limits one or more major life activities. A person is considered to be a person with a disability if he/she has the disability, has a record of a disability, or is regarded as having a disability.

- Qualified Individual with a Disability

- An individual with a disability, who can perform the “essential functions” of the program of study or employment position, with or without reasonable accommodation.

# The Laws (continued)

- ***ADA Terminology*** (continued)
  - Essential Functions
    - The reason the program of study or employment position exists is to perform this function or functions.
  - Covered Disability
    - A Physical or mental impairment that substantially limits one or more major life activities, such as learning.
  - Reasonable Accommodations
    - Are modifications or adjustments that will enable a qualified individual with a disability to participate in higher education.

# The Rights and Responsibilities of Colleges & Universities

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- The college/university recognizes that its basic responsibility is to identify and maintain the academic and technical standards that are fundamental to providing quality academic programs while ensuring the rights of the students with disabilities. To meet these obligations, the college university:
  - has the responsibility to inform its applicants and students about the availability and the range of accommodations
  - has the responsibility to evaluate applicants based solely on their abilities. If an evaluation method or criteria has a negative effective on the applicant with a disability, the college will seek reasonable alternatives.

# The Rights and Responsibilities of Colleges & Universities (continued)

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- To meet its obligations, the college/university:
  - has the responsibility to ensure that all of its programs are accessible.
  - has the responsibility to make reasonable adjustments in the instructional method and evaluation system for a course when these have a negative impact on a disability.
  - has the responsibility to adjust, substitute or waive any requirements/courses that has a negative impact on a disability and **is not fundamental** to the program.

# The Rights and Responsibilities of Colleges & Universities (continued)

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- To meet its obligations, the college/university:
  - has the right to identify and establish the abilities, skills and knowledge necessary for success in its programs and to evaluate applicants on this basis.
  - and its faculty have the right to identify and establish the abilities, skills and knowledge that are fundamental to their academic programs/courses and to evaluate each student's performance on this basis. These fundamental program/course goals **are not** subject to accommodation.

# The Rights and Responsibilities of Students with Disabilities

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- A student with a disability has a right to an equal opportunity to participate in and benefit from programs offered at the college/university. To ensure this right, students with disabilities at the college/university:
  - have the responsibility to identify themselves as needing accommodation in a timely fashion. When the disability is not obvious, the student must provide documentation from an appropriate professional.
  - have the responsibility to demonstrate or document how their disability affects a particular delivery system, instructional method, or evaluation criteria when requesting accommodations.

# The Rights and Responsibilities of Students with Disabilities (continued)

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- To ensure this right, students with disabilities at the college/university:
  - have a responsibility to actively participate in the search for accommodations and auxiliary aids. This responsibility extends to working with the institution to seek financial assistance from government agencies and private sources.
  - have the same obligation as any student to meet and maintain the institution's academic and technical standards.
  - have a right to be evaluated based on their ability not their disability. If their disability effects the outcome of an evaluation method, they are entitled to an evaluation by alternate means.

# The Rights and Responsibilities of Students with Disabilities (continued)

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- To ensure this right, students with disabilities at the college/university:
  - are entitled to an equal opportunity to learn. If the location, delivery system, or instructional methodology limits their access, participation, or ability to benefit, they have the right to reasonable alternations in those aspects of the course (or program) to accommodate their disability.
  - are entitled to an equal opportunity in and benefit from the academic community. This includes access to services, extracurricular activities, housing, and transportation at a comparable level as that provided to any student.

# The Rights and Responsibilities of Students with Disabilities (continued)

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- To ensure this right, students with disabilities at the college/university:
  - have a right to appeal the institution's decisions concerning accommodations. First, internally, by filling a petition with \_\_\_\_\_, then by filing a complaint with the regional Office of Civil Rights or through the Civil Court system

# The Rights and Responsibilities of Colleges & Universities (continued)

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- To meet its obligations, the college/university:
  - Has the right to request and review documentation that supports requests for accommodations. Based on this review, the college/university has the right to refuse unsupported requests.
  - And its faculty have a right to select among equally effective methods of accommodating a student with a disability.

# Learning Disabilities

An Introduction

- ***Definition*** (postsecondary)

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- Learning disability is a general term that refers to a heterogeneous group of disorders manifested by significant difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning, or mathematical skills.
- These disorders are intrinsic to the individual, presumed due to central nervous system dysfunction, and occur across a life span.
- Problems with self-regulatory behaviors, social perceptions, and social interactions may exist with LD, but do not by themselves constitute LD.
- Although LD may occur concomitantly with other disabilities, or with extrinsic influences, they are not the result of those conditions or influences.

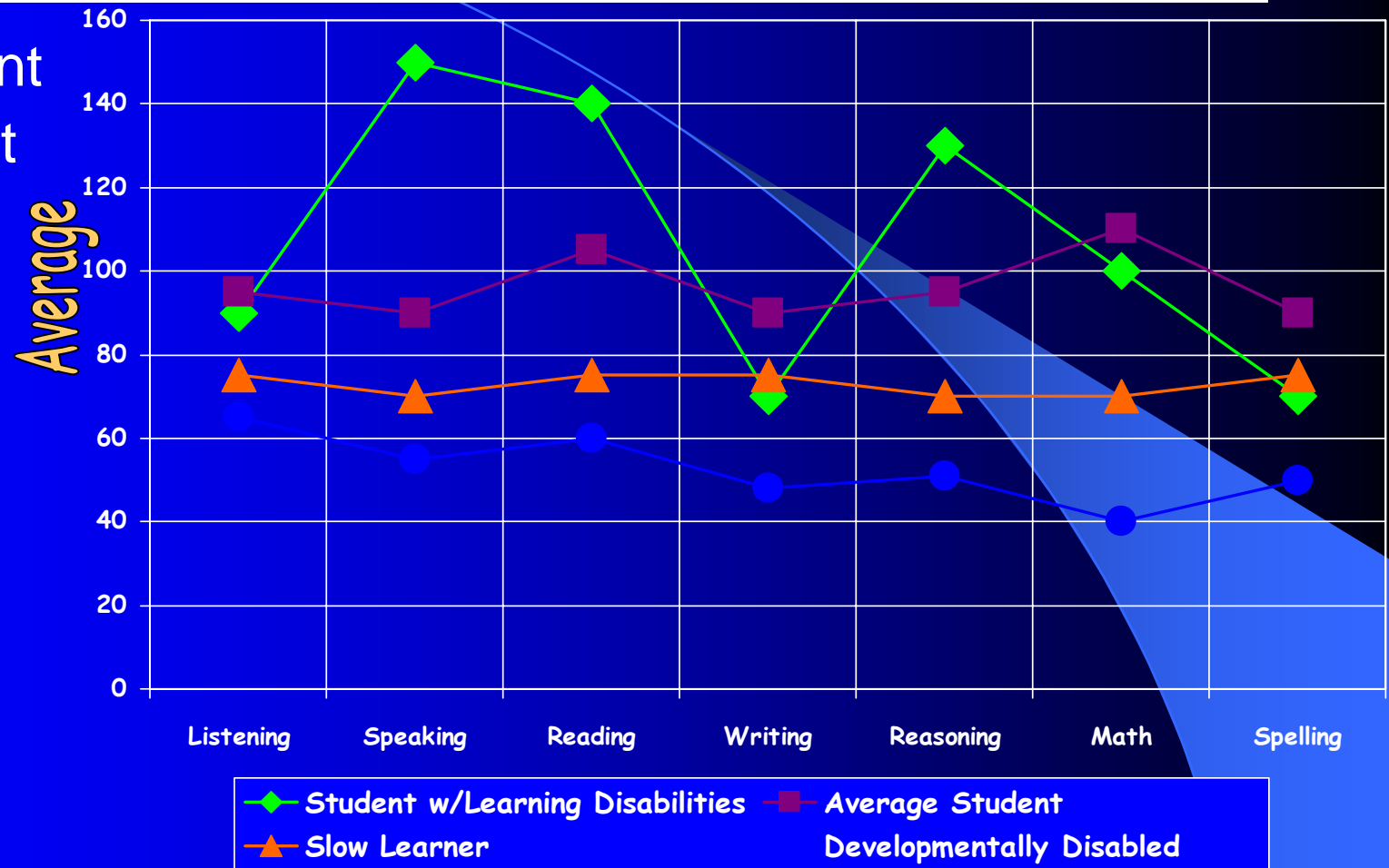
# What a Learning Disability Is Not

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- Mental retardation
- A homogeneous group of disorders
- The result of:
  - Poor academic background
  - Emotional disturbance
  - Lack of motivation
  - Socio-economic deprivation
  - Visual-hearing acuity
  - English as a second language
  - Physical disability

# What a Learning Disability Is

- Inconsistent
- Permanent
- A pattern of uneven abilities



- Only present if the individual has average to above average intelligence (not necessarily “measurable” average to above average intelligence)

# Common Characteristics of College Students with Learning Disabilities

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- ***Study Skills***

- Difficulty/inability to change from one task to another easily.
- No system for organizing notes and other materials.
- Difficulty scheduling to time to complete assignments.
- Difficulty completing tests and in-class assignments without additional time.
- Difficulty/inability to follow directions, particularly written directions.

# Common Characteristics of College Students with Learning Disabilities

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## ● *Reading*

- Difficulty/inability to read new words, particularly when sound/symbol relationships are inconsistent.
- Slow reading rate – takes long to read a test and other in-class assignments.
- Poor comprehension and retention of material read.
- Difficulty/inability to interpret charts, graphs, and/or scientific symbols.
- Difficulty with complex syntax on objective tests.

# Common Characteristics of College Students with Learning Disabilities

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- ***Mathematics***

- Difficulty with basic math operations.
- Difficulty with aligning problems, number reversals,, and/or confusion of symbols.
- Poor strategies for monitoring errors.
- Difficulty with reasoning.
- Difficulty reading and comprehending applied problems.
- Difficulty with concepts of time and money.

# Common Characteristics of College Students with Learning Disabilities

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## ● *Writing*

- Difficulty/inability to organize and sequence ideas.
- Poor sentence structure.
- Incorrect grammar.
- Frequent and inconsistent spelling errors.
- Difficulty/inability to take notes.
- Poor letter formation, capitalization.
- Inadequate strategies for monitoring work.

# Common Characteristics of College Students with Learning Disabilities

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- ***Oral Language***

- Difficulty/inability to concentrate during lectures, especially 2-3 hour lectures.
- Poor vocabulary.
- Difficulty with word retrieval.
- Problems with grammar.

# Common Characteristics of College Students with Learning Disabilities

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- ***Interpersonal Skills***

- Impulsivity.
- Difficulty delaying resolution of a problem.
- Disorientation in time – misses classes and appointments.
- Poor self-esteem.
- Can exhibit aggression, anger, depression, confusion, and/or negative psychological behaviors.

***Examples***

***and Activities***

# Helping Students w/Learning Disabilities

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- “*Debilitating*” Help vs. “*True*” Help
  - Debilitating help
    - Enables/rescues the student by encouraging “dependent” behavior.
  - True help
    - Assists the student while still encouraging the development of independent behavior.

# General/Universal Strategies

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- Explain new concepts concretely; use specific examples and settings
- Explain information in a precise way; never make assumptions about what the learner know
- Give multi-model instructions/directions
- Break down learning into small, sequential steps
- Present processes one step at a time
- Provide “over-learning” until the material is mastered

# General/Universal Strategies (continued)

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- Allow ample time for learning information; a student with LD will take longer to master new materials
- Don't teach information in a void; relate new information to the "real world" and "everyday life"
- NEVER EVER, EVER USE ALL CAPITAL LETTERS!
- Use **colored**-chalk, pens, or pencils when tutoring.
- Use auditory, visual, haptic, and concrete cues.

# General/Universal Strategies (continued)

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- Make eye-contact frequently
- When tutoring, use the learner's strengths and prior knowledge; build on experience and language skills of the learner
- Be flexible
- Ask the student to state in her/his own words what has been presented
- Provide instruction to help the transfer of learning
- Simplify language – but not the content