

Session Information



- **PAPER ID: 2501716**
- **PAPER TITLE: Accommodations and modifications in postsecondary education for students with disabilities**
- **Final Paper Number: CHAS 8**
- **DIVISION: Division of Chemical Health and Safety**

- **SESSION: Americans with Disabilities Act & Accommodations in the Laboratory**
- **SESSION TIME: 1:30 PM-4:15 PM**
- **DAY & TIME OF PRESENTATION:**
Monday, August, 22, 2016 from 2:15 PM-2:35 PM

Today's Presenter



Joe Zesski

Technical Assistance Specialist

Northeast ADA Center

K. Lisa Yang and Hock E. Tan

Institute on Employment and Disability

ILR School, Cornell University

800.949.4232

Direct: 609.269.8333

jzesski@rilnj.org

www.northeastada.org

Section 504 of the Rehabilitation Act of 1973



"No otherwise qualified individual with a disability in the United States shall, solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

Requires provision of academic adjustments and auxiliary aids or services

Title II of the Americans with Disabilities Act



- Covers “public entities” which are organizations or instrumentalities of state or local government (community colleges and state universities)
 - Extends nondiscrimination under Section 504 to public entities not receiving federal funding
 - Prohibits discrimination on the basis of disability in all services, programs, and activities
 - Must furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity
-
- Do not discriminate against individuals with disabilities
 - Provide equal access to services, programs, and facilities
 - Provide equal opportunity to participate in the education process

Title III of the Americans with Disabilities Act



- Title III covers “public accommodations” which are private organizations that effect commerce and fall under 1 of 12 categories, including places of education (private universities)
- No Discrimination in the full and equal enjoyment of all goods and services
- Equal opportunity to participate in and benefit from these goods and services
- Must not be provided different or separate goods or services unless doing so is necessary to ensure that access is equally as effective as that provided to others

A Note on Terminology usage



- Reasonable accommodation often used to refer to academic adjustments and auxiliary aids or services
- Reasonable accommodation is technically incorrect usage, but is common coinage
- Academic adjustment from Section 504- auxiliary aid or service from Section 504 and ADA Title II and III

What is an Auxiliary Aid or Service?



- Device, method, or service necessary to provide equally effective communication
- Furnished to provide equal opportunity to participate in and benefit from a program, service, or activity

Examples of Auxiliary Aids and Services



- Qualified interpreters
- Note takers
- Computer-aided transcription services
- written materials
- Open and closed captioning
- Accessible electronic and information technology



What is an Academic Adjustment?



- Designed for students with disabilities to participate in and benefit from the education program
- Can include: modifications to nonessential academic requirements, reasonable changes to policies, practices, and procedures, and the provision of auxiliary aids and services
- Determined by interactive process that includes the student
- Can use prior academic adjustments (or accommodations) as a guide

Examples of Academic Adjustments



- Extra time on examinations
- Different location for examinations
- Video-taped class
- Note takers
- Use of sign language interpreter
- Providing materials in Braille or Large print
- Having accessible electronic and information technology; including web-based learning and software
- Allowing service animal
- Use of assistive technology

Lab Specific Examples of Accommodations



- Instruments with auditory or tactile feedback
- Adjustment of positioning and height of equipment and tables
- Use of computer simulations
- Adaptive devices for individuals with fine motor control disabilities E.G. use of clamps to stabilize an object or use of software to measure and graph
- Modifications such as a lab partner, use of universal design learning, or preferential seating to eliminate potential distractions

Not Required to Provide Accommodations Which:



- Compromise a code of conduct/ethics
- Fundamentally alter the essential program of instruction
- Compromise essential academic or technical standards
- Cause undue hardship
- Pose a threat of safety to others

Not Required to Provide Accommodations Which Cont.



- The request fundamentally altered the nature of the program (e.g. a nursing student being excused from a lab)
- The request compromised essential academic/technical standards (e.g. a dental hygienist requesting lower standards on class tasks involving dexterity)
- A less costly or burdensome accommodation is equally as effective in ensuring equal participation
- The request was too costly and/or would cause undue hardship
- The request would pose a threat to the safety of others

University and Beyond



- Right to academic adjustments and auxiliary aids and services continue in postsecondary education through graduate and doctoral studies
- After education, right becomes reasonable accommodation in employment



Resources



- Broadening Participation in Science and Engineering by Welcoming Participants with Disabilities
 - <http://www.washington.edu/doit/broadening-participation-science-and-engineering-welcoming-participants-disabilities>
 - Making Science Labs Accessible to Students with Disabilities
 - <http://www.washington.edu/doit/making-science-labs-accessible-students-disabilities>
 - Equal Access: Science and Students with Sensory Impairments
 - <http://www.washington.edu/doit/equal-access-science-and-students-sensory-impairments>
-

Resources



- Access STEM: the alliance for access to science, technology, engineering, and mathematics

<http://www.washington.edu/doit/accessstem-alliance-access-science-technology-engineering-and-mathematics-stem>

- Teaching Chemistry to Students with Disabilities

<http://scholarworks.rit.edu/ritbooks/2/>

Northeast ADA Center

K. Lisa Yang and Hock E. Tan

Institute on Employment and Disability

School of Industrial and Labor Relations

Cornell University

201 Dolgen Hall

Ithaca, NY 14853

800.949.4232 in NY, NJ, PR and the U.S. VI

607.255.6686

northeastada@cornell.edu

www.northeastada.org

The contents of this presentation were developed under a grant from the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR grant number 90DP0071-01-00). NIDILRR is a Center within the Administration for Community Living (ACL), Department of Health and Human Services (HHS). The contents of this presentation do not necessarily represent the policy of NIDILRR, ACL, HHS, and you should not assume endorsement by the Federal Government.



Cornell University

