

Information for Faculty

Building an academic community that is responsive to diverse student populations, including students with disabilities, benefits the University community as well as society. Students with disabilities have individual strengths, deficits, and academic needs in the same ways that **all** students do. Ensuring the education of students with disabilities is a campus-wide responsibility. Bringing the University community together for this shared responsibility requires campus-wide awareness of students with disabilities, an understanding of the legal requirements for access, a review of essential program components, and a structuring of service delivery that is compatible with the University's mission. This institutional commitment and planning will allow students, faculty, staff, and administrators to work together toward the common goal of accessible higher education for students with disabilities.

When a student arrives to your classroom using a wheelchair, or is accompanied by a sign language interpreter, it is obvious that she/he has a disability. The same is true of other types of disabilities that are visible or readily observable: communication (speech) impairments, blindness or other visual impairments, and/or orthopedic impairments. The reality, however, is that a majority of students with disabilities across the country have hidden disabilities, e.g., learning disabilities (LD), attention deficit hyperactivity disorder (ADHD), health-related concerns, and/or psychological/ psychiatric disabilities. These numbers are increasing, the stakes are higher, and the power of civil rights protection is behind each person who can prove that she/he is disabled, as defined by the Americans with Disabilities Act of 1990 (ADA). As a faculty member, you are the person to whom students turn for guidance and from whom students seek knowledge. Your patience, your understanding, and your willingness to be flexible and to teach to all learning styles fuels the student's passion to want to excel. The bottom line is that the ADA touches every aspect of campus life. Although Disability Services is able to proctor accommodated tests and exams on your behalf for a very limited number of students each day, given the available space, the ultimate responsibility to provide the required additional time on tests and exams, in addition to a quiet environment (if listed as an accommodation), is yours. In other words, when the space in Serra 300 is booked and not available, you must accommodate your students directly. Noncompliance places both you and the University for which you work at risk for litigation. As an agent for the University, you are responsible for adherence to the rules and regulations that govern the institution at large. You are not a private contractor who can arbitrarily determine not to accommodate a student.

The Office of Civil Rights (OCR), Region IX (CA) ruled that a letter must be placed in the personnel file of a professor who refused to provide a necessary accommodation [San Jose City College]. In an effort to avoid a similar scenario, there is a specific office designated to be the gatekeeper of the documentation for purposes of verifying the legitimacy of the disability and the appropriate

accommodation(s) based on the nature of the disability. Disability Services in Serra Hall, Room 300 needs to be the first place where students with disabilities go if they want to be accommodated in their classes. As a faculty member, you are under no obligation to accommodate if the student has not submitted official documentation to Disability Services and has not presented you with a memo from the Director that outlines the appropriate accommodations for that course.

You would be doing yourself, and the student, a huge favor by including on your syllabus a statement similar to the following:

"Students with disabilities who believe that they may need accommodations in the class are encouraged to contact Disability Services in Serra 300 (260-4655) within the first three weeks of the semester to better ensure that such accommodations are implemented in a timely fashion."