FREQUENTLY ASKED QUESTIONS

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What laws cover a student with a disability at the post-secondary level?

In 1973, Congress enacted Section 504 of the Rehabilitation Act, which guarantees the rights of all students to equal educational access and prohibits discrimination on the basis of physical or psychological disabilities. It also provides that no individuals with a disability shall be denied benefits of, excluded from participation in, or subjected to discrimination in co-curricular activities because of the absence of auxiliary aids. In 1990, the Americans with Disabilities Act (ADA) guaranteed equal access to employment, public services and transportation, in addition to educational access.

What is UC Clermont’s responsibility to ensure equal access?

The University of Cincinnati and its branch campuses prohibit discrimination on the basis of race, color, religion, national origin, gender, sexual orientation, disability, age or status as a disabled veteran or veteran of the Vietnam era. UC Clermont has an institutional commitment to provide opportunity for equal access in all programs and activities. Persons who feel as if they have been discriminated against due to a disability-related issue can refer to the Accessibility Resources website (www.ucclermont.edu/students/dso) for grievance procedures or stop by the office for assistance.

What services are offered through Accessibility Resources?

Accessibility Resources exists to assist students with disabilities in achieving their educational goals. Our focus is on equal access to all programs and activities. Services provided include: assignment of appropriate reasonable accommodations, assistance with accommodation implementation, advocacy, and referral to community resources to name a few.

What is the definition of a disability?

The Americans with Disabilities Act (ADA) defines a disability as a person who: has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such impairment.

What is appropriate documentation?

Eligibility for reasonable accommodations and other support services depends on the nature of the disability and its impact. Accommodations and services will be identified based on documentation from a qualified professional. Adequate documentation should be recent and include: a description of the nature and extent of the disability; an explanation of the functional impact of the disability, especially as it relates to the academic environment; and recommendations for reasonable accommodations.

How is documentation reviewed to determine eligibility?

After a student submits documentation, the information is reviewed by the Accessibility Resources staff. The student and the staff member then meet to discuss the types of
accommodations and services that are recommended by the supporting documentation. We will take into consideration past supports that have been helpful to the student.

**What are reasonable accommodations?**

A reasonable accommodation is always based on an individual’s documented need. According to the law, a reasonable accommodation cannot require an “undue hardship” on the college. In addition, the accommodation cannot require a fundamental alteration of any essential aspect of a program or activity. Any service that is personal in nature like a tutor or personal aide is not considered a reasonable accommodation in most cases. The following is a sample list of accommodations that a student may be eligible to receive:

- Notetaker
- Alternative Text
- Reader
- Interpreter
- Real-Time Captioning
- Extended Test-Taking Time
- Individual Testing Room
- Proof Reader
- Scribe
- Sign-Language Interpreter

**How do I know if a student requires accommodations?**

After students register with our office, they are given instructions to return to the office once classes have started. At that time, they are given a copy of their accommodation form, which they need to share with each instructor. We encourage students to share this form early in the quarter. Some students may prefer to see their instructors during office hours. In order to ensure equal access for all students, it is strongly recommended that instructors only accommodate those students who are registered with Accessibility Resources.

**What if I disagree with an accommodation?**

Please contact Accessibility Resources at 732-5327 if you have any questions or concerns. If a student has self-identified, provided appropriate documentation, and has an accommodation form, they are entitled under law to receive the specified accommodation.

**What do I do if I suspect that a student has a learning disability?**

In theory, students who have a learning disability and seek accommodations should register with Accessibility Resources and provide you with their accommodation form. However, some students have never been formally diagnosed with a learning disability and others choose not to pursue services. In general terms, a student with a learning disability may have difficulty acquiring, processing, and/or retrieving information. A student with a learning disability may:
- Have difficulty taking notes and listening to the lecture at the same time
- Is easily distracted
- May appear overly anxious during tests and quizzes
- Seems to forget material previously learned
- Is consistently the last student finished with tests or quizzes
- Able to express ideas and concepts verbally rather than in writing

**How do I refer a student to Accessibility Resources?**

If you suspect that a student may benefit from services, you may be able to approach the student in a private setting and express concern about their performance. It could be that the student is under-prepared and may be able to benefit from some assistance at the Learning Center or other campus resource. It is acceptable to mention that there are free services available on campus for students with disabilities and provide the office contact information. Please note that at the post-secondary level, students must self-identify prior to services being initiated.

**What if a student discloses that they have a disability but doesn’t provide me with an accommodation form?**

Please refer the student to Accessibility Resources so we can ensure that the student is qualified to receive services. If we do not follow the proper procedures, we place ourselves at risk for legal action by giving services to students without documentation. A good question to ask is, “Would I provide this accommodation to any student who asked?” If the answer is yes, it is probably not much of an issue. Again, our focus is on equal access.

**Where can I learn more about a disability?**

Information can be found on the Accessibility Resources website which is [www.ucclermont.edu/students/dso](http://www.ucclermont.edu/students/dso). These resources provide general information about different disabilities like physical disabilities, traumatic brain injury, mental health conditions, etc. and also provide teaching strategies to employ in the classroom.

**A student says she has test anxiety. Is this a disability?**

Usually test anxiety on its own does not constitute a documented disability that is protected by law. We frequently have students ask for accommodations due to test anxiety and unless the student also has some underlying psychological condition where test anxiety is a manifestation of the condition, they do not qualify for services. Test anxiety is a performance issue and although limiting in scope, it usually goes away when a student is not faced with a testing situation. A disability is almost always a permanent condition.

**Who provides the accommodation(s) to the student?**

Accommodations are a shared responsibility between the student, faculty, and Accessibility Resources. The student is responsible for self-identifying and requesting that accommodations be put in place. The student is also responsible for following the policies and procedures of
Accessibility Resources. Instructors are responsible for ensuring special seating arrangements, ordering textbooks in a timely manner to ensure a reasonable amount of time to arrange for alternative text if needed by a student, providing copies of tests to Accessibility Resources when requested by a student, etc. On occasion, we may need instructor assistance with finding a notetaker in the class. Accessibility Resources is responsible for reviewing documentation to ensure appropriate accommodations are identified, creating accommodation forms for the student, arranging for contract services like a sign-language interpreter, and test proctoring. (These are common examples of the types of responsibilities and are not limited to just these items).

Who is responsible for finding notetakers?

Accessibility Resources will work with the student to find notetakers for individual classes. The student may ask for your assistance in making an announcement to the class to help in soliciting a notetaker. Once a volunteer is identified, please send them to Accessibility Resources in 105 Peters-Jones and we will take it from there. Note: Please remember not to identify the student with a disability by name when seeking volunteers.

How do I work with a student who needs testing accommodations?

It is the student’s responsibility to approach you with a testing envelope that they have obtained from Accessibility Resources. It is general practice for students to give you the envelope a minimum of one class period prior to the test. We ask that instructors complete the front portion of the envelope and then either drop off to Testing Services in 103 Peters-Jones or send via email to elctest@ucmail.uc.edu. Students will come directly to Testing Services at the appointment time and the test will be returned to the instructor’s mailbox in the Faculty Services Center unless alternate arrangements have been made.

Why do students need extended time for tests?

The use of extended time is the most frequently used accommodation at UC Clermont. The reasoning behind extended time for testing situations is to allow the student with a disability to have additional time to read and understand the questions. Students with learning disabilities may have difficulty with processing information. Students with ADHD or mental health issues may have difficulty concentrating. Some students need the test questions read to them which takes additional time. Students are given either time and a half or double time (based on time given to rest of class) to complete their tests. We do not allow unlimited time for completion of tests.

What about quizzes and pop quizzes?

If a student’s accommodation form indicates they receive extended time with (pop) quizzes, the instructor needs to make arrangements for the student to receive this accommodation, if requested by the student. We suggest that the quiz be given towards the end of class which will enable the student to come to Testing Services and take the quiz or allow the student to take the
quiz in class, as long as the instructor is willing to allow the student to finish in the amount of
time afforded to the student.

**What are my rights if a student wants to tape a lecture?**

Some students are provided with the accommodation that allows for them to tape lectures. We
advise the student to speak with the instructor prior to the first taping session so the instructor is
aware of this situation. We also educate the student as to the proper use of taped material. If the
instructor prefers, there is an agreement available that can be signed by both the student and the
instructor regarding the use of this material. Just contact Accessibility Resources for more
information.

**How can I tell if a student has a learning disability or is under-prepared?**

This is often difficult to determine. Many of our students are returning to school and have not
had the level of preparation that is necessary to perform at the post-secondary level. These
students can benefit from intrusive advising and referrals to campus resources like the Learning
Center to bring them up to speed. It is often assumed that if someone is not performing well in
class, then they must have a learning disability. Students with learning disabilities are typically
students who have average to above average intelligence and demonstrate strengths and
weaknesses in certain areas. We provide these students with accommodations to assist them in
performing at a higher level. It should be noted that as an open-access institution, we do admit
students who have a lower level of cognitive functioning which impairs their ability to learn. In
most cases, these students will not benefit from accommodations.

**How can I help to maintain student confidentiality?**

The student with a disability is entitled to confidentiality under the law. This means that if a
student with a disability happens to be in your class, you cannot mention that student by name
(i.e. “Tom, here’s your test so you can go take it in Testing Services” or “We need a notetaker
for Katie, so I need someone to volunteer”). *You should also not discuss the student by name
with anyone else, including other faculty.* It is always the student’s decision to self-disclose.
Accessibility Resources is able to verify that we are working with a particular student but we are
not permitted to share the nature of the disability with you, even if you think it would assist the
student with the class. We will however, contact the student and explain that you (as their
instructor) have expressed some concern and suggest that they have a discussion with you.

**What do I do in case of emergency?**

If you feel the emergency is life-threatening to the student with a disability or another student,
please contact 911 and then contact Public Safety at 556-1111. Please follow-up with Amy
Simerly at 732-5327 or Jennifer Radt at 732-8964 to report any emergency situation that
involves a student with a disability.
I’m teaching a class at an off-campus location. How will accommodations be provided?

Accommodations will be provided for students who are enrolled in Clermont or credit-center classes held off campus. In regards to testing, students can make arrangements to take classes on the Clermont campus or we will make arrangements to test at their location. Please contact Accessibility Resources at 732-5327 for more information.

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