



## Faculty/Staff Guidelines for the Americans with Disabilities Act

### Preface

It is important that the faculty and staff of Troy University create an environment that is respectful of those with disabilities and values diversity. If you are an instructor of students with disabilities, or you are a supervisor of employees with disabilities, take the time to understand the limitations caused by their disabilities and how it affects academic progress (students) or work performance (employee). Ensure that you adhere to the guidelines provided by Student Disability Services and the Human Resources department to provide the most inclusive and successful experience possible for students and employees with disabilities.

### SECTION 1: STUDENTS

#### Introduction

Faculty and staff members may be the first to know that a student has a disability. Students with disabilities are not required to register with Student Disability Services unless they are requesting a specific accommodation in class as a result of their disability. In order to receive accommodations, students must register with a Student Disability Services office. Only these offices can determine if a student meets federal and state guidelines for a specific disability. Student Disability Services are the offices campus designated to keep records of a student's disability, and the only staff designated to verify and determine a plan of accommodations for students. There are offices located on the Troy, Montgomery, Phenix City, and Dothan Campuses. Online and Global students may contact the Troy Online Disability Services Coordinator for assistance.

#### Referring Students with Disabilities to Student Disability Services

- Refer all students who may benefit from or who may qualify for Student Disability Services and supports.
- Notify Student Disability Services by telephone or email that a referral has been made.
- If a student has a disability that is visible (use of a wheelchair, service dog, hearing aids, etc.) refer the student to Student Disability Services and provide the requested accommodation, if it is obviously appropriate, while the paperwork is completed.
- All faculty are responsible for including the following statement in each course syllabus (See Section 3.8.2.8 of the Faculty Handbook.):

**AMERICANS WITH DISABILITIES ACT: Students with disabilities, or those who suspect they have a disability, must register with the Disability Services Coordinator in order to receive accommodations. Students currently registered with the Disability Services Office are required to present their Disability Services Accommodation Letter to each faculty member at the beginning of the term. If you have any questions contact the Disability Services Coordinator (DSC) at (insert phone number and e-mail address of your campus DSC.)**

## Documenting Disabilities and Accommodations Requests

- Faculty/staff are not responsible for—and should not become involved in—evaluating a student’s disability or reviewing documentation of claimed disabilities.
- Once current and appropriate documentation is provided to Student Disability Services, the student is officially registered, and Letters of Accommodation can be provided to each faculty member.
- Students are NOT required to provide documentation to any administrator, dean or instructor other than Student Disability Services staff.
- If presented with a student’s documentation, refer the student to the Disability Services Coordinator for that campus.
- Upon receipt of the Letter of Accommodation, each faculty member is responsible for reviewing the information in the letter and discussing with the student how the accommodation will be implemented in the course. If at any point a question or concern arises, they should immediately contact a Disability Services Coordinator to discuss the issue. Faculty should continue to provide the listed accommodations in the letter until it is set aside or modified by the Student Disability Services office.
- The Disability Services Office is required to maintain a written record of all accommodation decisions that involve a rejection or modification of specific requests presented in the Letter of Accommodation. Outlining (a) why the accommodation was rejected or modified and (b) how the accommodations actually provided or offered effectively meets the individual’s needs. If you modify or reject an accommodation contact the Disability Services Office immediately. Make a copy of the Letter of Accommodation for yourself and send the original back to the Disability Services Office with the changes noted and both your signature and the student’s signature noting acceptance of the change.

## Interacting with Students with Disabilities

- Faculty and staff should ensure that they refer students in a caring and sensitive manner.
- Faculty and staff should respect student privacy and limit questions to those concerning necessary accommodations.
- Faculty should meet with students in private to go over the specifics of how the accommodations will be provided. Avoid meeting in locations where the discussion can be overheard by others. Students should initiate the meeting but faculty/staff may do so if the student is reluctant to self-advocate. If a student wants to talk a faculty member before or after class, be sure that either no one else is in the room or schedule the student to meet at another time.
- Students with disabilities are a diverse group with diverse needs and abilities. Some students with Disabilities, may receive all “A’s” and others may receive all “F’s”. Do not think that a student who makes “A’s” does not need accommodations and do not think that a student who makes “F’s” should be graded more leniently or differently because he has a disability.
- Equal access does not always equal success. Not every student with a disability will succeed. Do not give the student a grade they did not deserve – this is a disservice to both the student and the university.
- Do not ask the student to disclose the nature of his or her disability or to see his/her documentation. Many students may volunteer the information but others prefer confidentiality. Most disabilities are not visible and while the student has been instructed to advocate for his or her needs, he/she does not have to discuss the nature of the disability or show you documentation. Any disclosures that are made to you are to remain confidential.

- Do not tell the student that the request for accommodation is too late in the term/semester. Students are encouraged to confer with faculty during the first week of class but there are many legitimate reasons why this may not be possible. The student may be waiting for testing to be completed or for their physician to send information to the Disability Services Office. Accommodations must be provided at ANY point in a semester or term. Accommodations do not have to be provided retroactively.
- If a student is having difficulty in class and you think he/she may have a disability, speak privately with the student about his/her academic/performance. You may ask if the student has had these kinds of problems in the past or if the student is aware that Troy University has tutoring services and the Disability Services Office that may be able to offer accommodations. Suggest that he or she may want to investigate these supports.
- Do not draw attention to the student's disability by asking the student in the classroom if she/he can see the board or hear what you said. Do not embarrass the student. Ask questions concerning accommodation needs in private.
- Students who may possibly have medical emergencies in the classroom are encouraged to share the information with their instructors so that the instructor is better prepared to assist in the event of an emergency. It is a good idea to get some idea of the frequency of potential problems and what is expected in the way of assistance especially in the event of seizures, diabetic coma, heart problems and other serious episodes. If you receive a Letter of Accommodation with the phrase: "Possibility of medical emergency", see student for details. The student does not have to disclose the exact nature of the disability, but students are encouraged to share information so that faculty can be better prepared to assist in the event of an emergency or distress. It is a good idea to have some idea of what illness is problematic and the frequency of episodes. Students are encouraged to develop an emergency plan in advance and discuss it with faculty. Students should be able to describe specific signs and symptoms that indicate an immediate need for emergency assistance.
- **In the event of an unresponsive student or one that requests assistance, do not hesitate to contact emergency help. Instructors are instructed to contact 911 for any perceived emergency, if they are uncomfortable or distressed by a student's condition.**

## Accommodations

- Faculty members are responsible for implementing academic accommodations to the fullest extent possible.
- Reasonable accommodation in the classroom is an individual civil right guaranteed by federal law (ADA and Section 504 or the Rehabilitation Act).
- Once the accommodation is identified in the Letter of Accommodation, the accommodation MUST be provided, this is not negotiable. The only option is how the accommodation will be furnished. This is usually arranged between the faculty member and the student. If assistance is needed, contact the Student Disability Services office immediately.
- The student has the right to choose not to use accommodations and may use them for one class and not for another.
- If the student asks retroactively to fix a problem/grade because he/she failed to use accommodations or had not contacted Student Disability Services, you are under no obligation to do so. If this should occur, contact Student Disability Services immediately.

- A great number of accommodation issue complaints can be traced to the timeliness of providing the accommodations. Faculty are asked to communicate with the Disability Services Office in a timely manner especially regarding captioning, interpreters, and alternate formats needed.
- All faculty including on-line instructors are responsible for contacting a Disability Services Coordinator with questions concerning the implementation of accommodations. Most accommodations are easily arranged and the Disability Services Coordinators are readily available to assist.
- When questions arise concerning a specific accommodation, whether withholding or altering an accommodation, it is the responsibility of the faculty member to contact the Disability Services Coordinator immediately to resolve the matter.
- Faculty should not offer accommodations not listed in the Letter of Accommodation without following proper procedures, as this could risk setting a precedent that may not be appropriate or maintainable by the University.
  - Letters of Accommodation
- Letters of Accommodation may be presented to you by the student or you may receive one electronically by e-mail or in your campus mail folder from the Disability Services Office.
- If the student hands a Letter of Accommodation to you in class, ask them to meet with you in a private location that cannot be overheard by others to discuss the accommodations. Come up with a mutually agreeable plan for carrying out the plan for accommodations. Document the date/time/place/student's name and plan for accommodations.
- If a student requests accommodations, brings you documentation of disability or reveals a disability issue but you have not received a Letter of Accommodation and the student is not registered with our office, you are not required to make accommodations. Instead, refer the student to Student Disability Services to submit documentation and determine if he/she is eligible for accommodations. Not all illnesses and medical issues are disabilities. If the student is registered, ask them to contact The Student Disability Services office so that a Letter of Accommodation can be sent.

#### Providing an Accessible Course and Classroom

- Faculty utilizing on-line learning media are responsible for ensuring that students with disabilities have full access to distance learning course materials just as they are for students in the classroom. Examples include: ensuring fully accessible websites, use of captioned media, and/or providing written transcripts of video presentations. Since the possibilities in Distance Learning are endless, the means of providing accommodations must remain open to creativity. Each situation should be evaluated on a case-by-case basis, and accommodations made that are reasonable for each situation.
- If a student contacts you directly with a request for alternative formats, please have them contact Student Disability Services.
- If you are selecting a new textbook, faculty should ask the distributor if the text is available in electronic text. If the choice is between two books of comparable content, and only one of these is available in electronic text, please consider adopting the fully accessible textbook.
- When ordering new instructor textbooks from a book publisher, faculty should request a student copy to donate to the Student Disability Services office. This will enable students with reading disabilities access to the selected textbook. Once the Student Disability Services office has used the text to put it into an accessible format, they will donate the book to the Student Support Services Book Loan Program.

#### **Faculty Rights & Responsibilities**

**Faculty members have the right to:**

- Maintain academic standards for courses
- Determine course content
- Confirm a student's request for accommodations and ask for clarification about a specific accommodation with Disability Services
- Deny a request for accommodation if the student has not been approved for such accommodation
- Award grades appropriate to the level of the student's demonstration of mastery of material
- Fail a student who does not perform to passing standards
- Faculty members do NOT have the right to:
- Refuse to provide an approved accommodation for a documented disability
- Challenge the legitimacy of a student's disability
- Review a student's documentation including diagnostic data

**Faculty members do NOT have the right to:**

- Refuse to provide an approved accommodation for a documented disability. Faculty who refuse reasonable accommodations may be held personally liable for their actions.
- Challenge the legitimacy of a student's disability
- Review a student's documentation including diagnostic data
- Ask students if they have a disability.

**Faculty members have the responsibility to:**

- Understand the laws and university guidelines concerning students with disabilities
- Refer student to Disability Services when needed
- Provide requested accommodations to students with documented disabilities in a timely manner
- Maintain confidentiality concerning students with disabilities except as required by law or authorized by the student
- Provide handouts, videos, and course materials in accessible formats upon request (contact the DSO if you need assistance)
- Evaluate students based upon their abilities
- For each course/program, a list of objectives should be written. Faculty are encouraged to review essential program standards/technical requirements and on an individual basis determine if any accommodations for students with a wide-range of disabilities can be made; lowering standards is not required by 504/ADA. The burden is on the student to identify the accommodation with supporting documentation and it is the burden of the university to demonstrate that the accommodation is either reasonable or unreasonable, that no accommodation is available or that the student is not qualified.
- Once an accommodation is identified, the university must gather information to determine if the student's request would fundamentally alter or substantially modify institutional standards. If faculty have no written objectives, essential standards, or technical requirements, they have nothing to object to.

Universal Design consists of implementing best practices to meet the needs of a wide range of individuals. These best practices should be considered when designing courses and activities for students to ensure they meet the learning needs of all students. Consider the following:

- Textbooks, syllabi and other handouts should be available in electronic form.
- Provide class notes, outlines and important points online.
- A question and answer section online not only benefits the student but also clarifies statements and eliminates the instructor repeating the same answer to multiple students.
- When using videos, audio recordings, or movies in a course, quality captioning, a written transcript, or a qualified interpreter must be provided for students or employees who are deaf or hard of hearing.
- While writing or drawing using a board or overhead, be sure that you describe verbally what is being drawn. Visually impaired students rely on your audible descriptions.
- Deliver information using multiple modes of communication.
- Ensure that facilities, activities, materials, and equipment are physically accessible to and usable by all students/employees and that all potential student characteristics are addressed in safety considerations.
- Regularly assess student/employee progress using multiple, accessible methods and tools and adjust instruction accordingly.
- Use ADA compliant websites.
- Provide regular and specific feedback.
- Ensure that testing is accessible for all students.

**The Disability Services Office is available to come to your classes and departmental meetings to present and discuss disability issues related to ADA and Section 504 of the Rehabilitation Act, accommodations, disability etiquette and general information. Please contact your campus Student Disability Services office to arrange for a presentation.**

## **SECTION 2: EMPLOYEES**

The Human Resources Department provides reasonable workplace accommodations for persons with qualifying disabilities. In order to receive accommodations, employees must first register with the Human Resources Department.

Referring Employees with Disabilities to Human Resources

- Refer all employees who may benefit from or who may qualify for accommodations to HR.
- Notify HR that a referral has been made.
- If an employee has a disability that is visible (use of a wheelchair, service dog, hearing aids, etc.) refer the student to HR and provide the requested accommodation, if it is obviously appropriate, while the paperwork is completed.

Documenting Disabilities and Accommodations Requests

- If an employee communicates to a supervisor that they need accommodations for a disability, refer the individual to the HR office.
- The HR office will counsel the individual regarding the process for documentation and requests for accommodations.

- Once appropriate documentation has been obtained by the employee, the employee will submit the information to HR.
- HR will communicate with the employee's direct supervisor about the accommodations request and how to implement the requested supports.
- Employees are not required to provide documentation to anyone other than the HR office.
- If presented with an employee's documentation, refer the employee to the HR department.

### Accommodations

- Reasonable accommodations for employees are any changes or adjustments to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.
- The university is responsible for providing accommodations to employees or applicants unless it can be proven that the accommodation would be an undue hardship—meaning that it would require significant difficulty or expense.

### Examples of Accommodations

- Providing or modifying equipment or devices,
- Job restructuring,
- Reassignment to a vacant position,
- Making the workplace readily accessible to and usable by people with disabilities.
- Attendant services
- Adaptive technology
- Converting printed matter to alternative media and reader services for employees who are blind
- Workspace and furnishings appropriate to the nature of the disability
- Interpreters for deaf and hearing-impaired employees
- A quiet workspace
- Flexible work arrangements
- Frequent breaks

### Universal Design

Universal Design consists of implementing best practices to meet the needs of a wide range of individuals. These best practices should be considered when designing job duties and working environments to ensure they meet the needs of a wide range of employees. Consider the following:

- **Environmental** - effective lighting; adequate space for travel and maneuvering; minimal noise levels; elimination of obstacles in path of travel; accessible entrances.
- **Controls and Tools** - accessible door handles, light switches, elevator controls, faucets.
- **Workstation and Storage** - minimal glare; blinds or curtains on windows adjacent to workstation; adjustable chairs and workstations (ergonomic furniture); storage in range of reach for all employees.
- **Computers** - accessibility features in operating systems and websites.
- **Communications** - volume controls on telecommunication equipment; accessible, high contrast signage; alternate formats (large print, electronic files).
- **Safety** - multi-sensory alarm signals (auditory, visual); emergency and safety equipment clearly identified and placed in a conspicuous location.

## Working and Interacting with Employees with Disabilities

- Educate yourself and be sensitive towards the needs of your employees, and the challenges they face.
- Focus on their talents, not their limitations.
- Use appropriate terms and language when referring to disabilities.
- Ask the employees questions if you don't know something – keep lines of communication open.
- Report any discrimination or harassment to supervisor or HR.
- Provide the same training opportunities and activities to employees with disabilities.
- Take proactive steps to ensure that employees with disabilities are valued and included by their department.
- Be flexible in how you expect job duties to be performed.
- If you offer assistance, wait until the offer is accepted to act. If an employee wants your assistance, let them tell you how to help.

## ADA Considerations for Recruitment and Employment Searches

Applicants for positions within the university may also be eligible for accommodations throughout the application and interview process. Be sure to evaluate their needs and be responsive to their requests for accommodations. Seek guidance from Human Resources in these situations. Consider the following:

- Contact a local advocacy group for resources and information to support a bias-free recruitment and selection process.
- Look beyond traditional, mainstream sources for job applicants.
- Post the job ad in alternate formats.
- When you schedule each job interview, ask if the applicant has any accommodation needs.
- Ensure the interview site is accessible.
- Be aware of what you can and cannot ask during a job interview and only ask for what is relevant to the job.
- Focus on skills, abilities, expectations and desired outcomes.
- Make your selection process consistent for all applicants

## **Campus Accessibility, Activities & Special Events**

Every event, special activity, and program hosted or planned by the University should be accessible to persons with disabilities. When selecting a location for an event, consideration should be given to its accessibility. If the event is publicized, provide persons with disabilities the opportunity to request special accommodations. Special accommodations can include alternate printed materials, interpreters for the deaf, assistive listening devices, etc. To determine the special accommodations that may be requested, list the following statement on all applications, registration, and program announcement:

**“Individuals with disabilities requiring special accommodations should contact \_\_\_\_\_ (event coordinator) prior to the event, allowing reasonable advanced notice so that accommodations may be arranged.”**

Classes are scheduled in accessible locations whenever possible. If an activity, program or classroom is not accessible to a student or employees, the student/employee is responsible for notifying the Student Disability



Services office or Human Resources department respectively. The Student Disability Services office or Human Resources office will be responsible for arranging a reasonable accommodation.

## Disability Support Contact List

### TROY CAMPUS

Toll free: 1-800-551-9716  
Disability Services  
Alison Hughes, Coordinator  
102 Eldridge Hall  
Troy, AL 36082  
334-670-3221  
334-670-3810  
ajhughes@troy.edu

Jennifer Sewell, Testing Specialist  
102 Eldridge Hall  
jsewell46789@troy.edu  
(334) 670-3221  
(334) 670-3810

### MONTGOMERY CAMPUS

Toll free: 1-888-357-8843 ext. 9587  
Disability Services  
Jane Rudick – Coordinator  
Whitley Hall, rooms 523/524  
231 Montgomery St.  
Montgomery, Al 36104  
334-241-9587  
334-241-5488  
jrudick@troy.edu

### DOTHAN CAMPUS

Toll free: 1-886-291-0317  
Disability Services  
Amy Farver – Coordinator  
120 Malone  
500 University Drive  
Dothan, AL 36303  
334-983-6556 ext. 1221  
334-983-4580  
afarver@troy.edu

### PHENIX CITY CAMPUS

Toll free: 1-866-876-9787  
Disability Services  
Jeri Carroll, Campus Registrar  
Student Services  
Adams Administration Building  
Phenix City, AL 36869  
334-448-5119  
carrollj@troy.edu

### TROY ONLINE/ GLOBAL SITES

Toll free: 1-800-414-5756  
Disability Services  
Malcolm McSwean – Coordinator  
100 University Park  
Troy, AL 36082  
334-808-6553  
334-670-5679  
ada@troy.edu

### For Employees (All Locations)

Toll free: 1-800-551-9716  
Human Resources  
107 Wright Hall  
Troy, AL 36082  
334-670-3710  
334-670-5666