



FREQUENTLY ASKED QUESTIONS FOR FACULTY/STAFF

- 1. Is it alright to ask a question about disability on the Enrollment form and the Financial Aid form?**

No, it is illegal to ask a disability related question on these forms.

- 2. I work in the Enrollment Office/Financial Aid Office is it alright for me to ask students if they have a disability? What if a student just tells me that he/she has a disability, can I discuss it then?**

Do not ask students or prospective students if they have a disability. Refer any student that tells you they have a disability to the Student Disability Services Office and refrain from offering any other comments or advice.

- 3. I am an instructor/staff member and students often give me documentation about their disability and ask me to deliver it to the appropriate instructor or office. Is that okay?**

No, do not take any disability documentation. When you take it into your hands then you become responsible for services and supports for which you may not be trained. Refer the student to the Student Disability Services Office and have the student personally deliver the information.

- 4. I have a student in my class with a disability and I have given her all of the support requested as per the Letter of Accommodation but at this point she is still failing the course. Am I in some way liable if she fails?**

No, you are not liable if you have provided the requested accommodations. All that you are expected to do is to level the playing field so that this student has an equal opportunity to succeed. You are not to grade her work more leniently or to lower the standards. In providing accommodations, an instructor does not guarantee academic success.

- 5. A student with a disability continually disrupts my class. He talks out of turn, makes sarcastic remarks while I lecture and interrupts the class talking about issues that have nothing to do with the course of study. Is there anything that can be done?**

Students with disabilities must follow the same code of conduct as any other student. If the disability and/or medication gives rise to the disruptive sort of behavior you described, the first thing that should be done is to talk with the student. If the behaviors continue, you should contact the Student Disability Services Office.

Students with disabilities are accountable for their behavior and must adhere to the same Standards of Conduct and disciplinary procedures as any other student. If a solution cannot be found, the department dean and the Dean of Student Services can be contacted for more specific information concerning student rights, procedures, and jurisdiction for specific incidents of alleged misconduct.

6. What do you do if the student continually tries to go beyond the accommodation stated in the letter to faculty?

If the student attempts to push for more accommodations, refer them back to the Student Disability Services Office. The Student Disability Services Office will notify you by letter if additional accommodations are approved.

7. A student with a disability has been absent 5 times from my class this term. He has been accommodated throughout the course. He disrupts the class by arriving late and repeatedly leaves class early. Only two of the absences were excused by a doctor's note and the other excuses he gave had nothing to do with his disability. His class average is an "F". I have warned him many times about class attendance and the need to study. What should I do?

The first thing to do is to talk with the student. If there is a disability related excuse, then you may want to extend the time to get the work turned in or perhaps he needs a medical withdrawal from the course. However, students with disabilities have the same requirement to attend classes as any other student and you can grade him accordingly.

8. A student with a disability makes appointments to be tested and needs a proctor to read the test questions to him. The student often shows up many hours later than the scheduled time or not at all. This behavior disrupts my schedule of appointments and commitments. How long should I wait for this student to show up for an appointment? Do I have to work this person into another time slot on the scheduled test day or can I ask that he reschedule the appointment?

You should wait 10 minutes and then if the student comes in late ask him to reschedule the test for another day.

9. If a student needs:

- assistance getting a wheelchair in and out of their car
- personal assistance walking to a classroom
- assistance using the rest room or getting something to drink

Are these things considered the instructor's/university's responsibility?

No. All of these are considered personal needs and are the responsibility of the student.

10. A student with a disability has an accommodation of extra time to complete assignments, papers, study for and take tests. She and I agreed that she would have an extra week to study for each test and could take it in the Student Disability Services Office. I sent the test to the Student Disability Services Office indicating that it would expire in 10 days. The test has expired and she still has not taken the test in the time required. This is not the first time that this student has failed to comply. What do I do?

You have given the accommodation of extra time and she has failed to comply. Extra time does not mean whenever I feel like it. Discuss the situation with the student to determine if there is a disability related problem. At this point you have a student who has not taken a test in the agreed time and you have the option of giving her the zero she has earned for this test grade.

11. A student with a disability has been absent for every test without any excuse and he has had more than the allotted time to make up and complete assignments. This student has requested that I assign a grade of INCOMPLETE. Must I comply and assign an INCOMPLETE grade or can I give this student the grade that he has earned?

Speak with the student and if you feel that the accommodations have been met and there is no legitimate excuse, it is your decision whether or not to approve the student's request based on eligibility requirements for an INCOMPLETE grade.

12. Can a student with a disability take tests in the Student Disability Services Office at any time and on any day of the week?

No. Students with disabilities must adhere to the schedule of the Student Disability Services Office and call for an appointment. Students requiring a separate distraction reduced room, proctors to read test questions or a scribe to write answers, or specialized software/ equipment will need to make an appointment for testing well in advance so that these special needs can be met. Students who are allowed extended time to complete a test, (over three hours) will need to make appointments early and request extended room use. Students usually test the same day the test is given or the day before or the day after. During midterm and final exam days, students will need to make appointments well ahead of the desired test date and instructors should have the test to the Student Disability Services Office several days in advance.

13. A student came to me and told me that he has a disability and requested several accommodations. I referred him to the Student Disability Services Office but I have not received a Letter of Accommodation and he said he has not been to the Student Disability Services Office. Do I have to comply with everything that he wants?

No, you do not have to comply with requests for accommodations until notified by the Student Disability Services Office. An institution may require students to adhere to well-publicized procedures for receiving assistance. If an instructor is approached by a student and asked for a classroom

accommodation that student should be referred to the Student Disability Services Office. Be sure to notify the Disability Services Coordinator of any student requesting accommodations. In this way, there is a third party record that the referral was made if the student fails to follow through and then claims that the instructor failed to provide accommodations.

14. Assuming that accommodations have been provided, should academic probation and readmission determinations be different for students with disabilities when the disability might impact their GPA?

Students with disabilities should be held to the same standards as all other students and should adhere to the same established policies and procedures regarding academic probation and readmission.

15. A student in my class did not go to the Student Disability Services Office until after midterm exams. She made an "F" on her midterm. I just received a Letter of Accommodation. Do I have to give her the midterm over again with accommodations?

There are occasions when an instructor may not receive a Letter of Accommodation until late in the term/semester. Students can ask for accommodations at any time. Many times documentation and testing may be delayed, a physician may not send in an updated report. Sometimes students do not choose to apply for disability services in a timely manner but rather will try things on their own. Once their grades begin to suffer, they may then seek assistance. You are not responsible for a student's choices and do not have to redo tests or grades that have already been given. There are no "do-overs" in college. Your responsibility to provide accommodations does not begin until you receive a Letter of Accommodation from the Student Disability Services Office.

16. Who determines student eligibility for disability services and the accommodations they receive? Do I get to express my preferences in the decisions about accommodations to be provided?

Troy University has approved the Student Disability Services Office as the office and only entity that determines student needs for appropriate accommodations. Decisions are made by the Disability Services Coordinator based upon confidential documentation provided by a professional and the student's limitations and clarification about specific needs. You are to follow the accommodations listed in the Letter of Accommodation and if you have concerns you are to continue providing accommodations while you contact the Student Disability Services Office for clarification.

17. Why do I sometimes receive a Letter of Accommodation by email and other times it is delivered to my faculty mail folder or handed to me by the student?

We are moving to reduce paper and increase efficiency and are slowly moving to a paperless email notification system. If the course you teach is on-line, you will receive an emailed Letter of Accommodation. If the student is late asking for accommodations, you may also receive an emailed Letter of Accommodation as our office makes an effort to get the information to you quickly. Other times, the letter may be handed to you by the student or placed in your mail folder.

18. How do I know that a test proctored through the Student Disability Services Office will be safe and that the student will not cheat?

You are encouraged to send your exam by email, fax, to hand deliver or send sealed through campus mail. Once in the Student Disability Services Office, the exam is locked in a filing cabinet. Students are not allowed to have purses, book bags, hats, coats, phones, electronic devices etc. in the testing room unless specified by the instructor. Each student on the Montgomery and Troy campus is monitored by camera. If a computer is used for testing, it is programed so that the student is not allowed outside the test area to other sites. Our office is just as concerned as you are about curbing dishonesty.

19. Who is responsible for providing accommodations for students on a field trip, at a track meet, or internship site?

The institution is always responsible for student participating in its programs. On a field trip, the institution is usually responsible but that depends on where the trip goes. At a sporting event, the cost, if any, is often split between the two schools, and at an intern site, the site is responsible. However, the home institution is always responsible for monitoring and making sure that accommodations are provided for its students.

20. Are universities required to lower their entrance requirements to admit students with disabilities? What about grades and other regulations?

No. Students with disabilities must adhere to the same requirements as other students. Students with disabilities must abide by the same rules, regulations, policies and procedures as any other student.

21. I have a student with a disability in my class and he/she comes to class on a regular basis and tries to complete the homework assignments but is hopelessly failing. I feel sorry for the student and his family, should I just pass him for trying?

No, do not pass a student because of pity. A pity grade helps no one and devalues the education system.

22. I received a Letter of Accommodation from the Student Disability Services Office saying that I am to allow a student to record my classes. I am against this and want to protect the confidentiality of the other students. I will not allow my classes to be taped. I am willing to meet with the student after class to go over the high points of the lecture. Is this an acceptable alternative?

No, courts have said that recording classes is an acceptable accommodation under ADA.

Disability trumps confidentiality every time. Students who record classes are not allowed to pass the recordings around for others to use.

23. The Letter of Accommodation lists time and a half to test and testing in a distraction reduced environment. Is it all right if I also give the student my notes, allow her to tape record the classes, allow her to retake tests if the grade is below 70 and give her private tutoring? I really want to help this student.

The idea of accommodation is to level the playing field so that the student has the opportunity to succeed. When an instructor goes above and beyond this it gives the student an unrealistic and unfair advantage. Problems may arise when the next instructor does not or cannot provide the same supports and the student decides to sue citing the loss of prior accommodations. You should stick to providing only the accommodations listed on the Letter of Accommodation.

24. I think that I would be better able to understand and teach my students with disabilities if I had access to their disability files. Is this something that I will be able to do?

No. A student's disability information is protected and confidential. Faculty and staff do not need access to disability information. They only need to know the accommodations required. While a student may volunteer personal information, you should never ask. Never discuss the information with anyone other than those who have a need to know such as the Disability Services Coordinator. Be very careful not to discuss confidential information in front of other students.

25. Does a faculty member have to provide accommodation while a grievance is being resolved?

A faculty member would only have to provide the accommodations approved by the Disability Services in written correspondence. The faculty member should continue providing the accommodation, even if a grievance has been filed.

26. At a number of locations on the Troy Campus, the University is not in compliance with specific ADA requirements for parking signage and access. Who is responsible for making these changes and others to the physical campus environment?

When a physical (facilities or grounds) ADA problem is detected, it should be reported to Physical Plant by submitting a Helpdesk ticket, describing the problem(s). If the problem continues, it should be elevated through the reporting person's chain of supervision.