

## STUDENTS WITH DISABILITIES AT SKIDMORE

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Over the past decade the number of students with disabilities at Skidmore College has increased, especially in the area of students with learning disabilities. To date, approximately 8% of the total student body has disclosed a disability. It is safe to assume there are a number of students who have chosen not to disclose their disability- this could possibly raise the total number to 10% of the student body, a number consistent with what other private liberal arts colleges are reporting. This trend is projected to continue as students with learning disabilities come better prepared to meet the selective admission criteria at competitive colleges and universities.

While Skidmore does not provide a "learning disabilities center" with specially trained tutors and faculty, we do offer the guidance of a Disabilities Specialist and a range of academic and personal support services that often prove useful to many students, including those with disabilities. We expect all students to meet the academic expectations set by the faculty. Some students with disabilities will require additional support and guidance in order to demonstrate their full potential.

### Types of Disabilities Commonly Encountered

#### Students with Learning Disabilities

The Joint Council on Learning Disabilities defines learning disabilities " as a heterogeneous group of disorders manifested by significant difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning, or mathematical abilities. These disorders are intrinsic to the individual, presumed to be due to a central nervous system dysfunction, and may occur across the life span."

Research suggests that a learning disability is a neurologically-based processing disorder, and people with learning disabilities tend to be of average or above average intelligence. Given appropriate accommodations to adapt to their learning style, students with learning disabilities can achieve success in their courses. You may have had students in your classes who have learning disabilities but you didn't recognize them as such. Below are listed some common characteristics that may help you identify learning disabled students, although it is not faculty's responsibility to diagnose students:

- **Reading:** slow reading rate, poor comprehension and retention, difficulty identifying important themes, and confusion of similar words.
- **Writing:** difficulty with sentence structure, poor penmanship, inappropriate capitalization, spacing difficulties, poor test-taking skills, and frequent grammar and spelling errors.

- **Visual processing:** difficulty reading, copying, and recalling visually presented material; difficulty in organizing what one sees.
- **Auditory processing:** difficulty with spoken words, excessive distractibility from auditory stimuli; difficulty recalling orally-presented materials.
- **Oral expression:** difficulty with one's own oral expression; inability to verbalize a sequence of thoughts.
- **Organization:** time management difficulties, problems with starting and completing tasks or following through, poor attention span, lack of organization in note-taking or written assignments, poor recall.
- **Computational/analytical issues:** poor reasoning and analytical skills, confusion between and among symbols (+, 5, %, \$, etc), sequencing difficulties, deficits in basic mathematical skills such as math tables.
- **Social skills:** inappropriate behavior, inability to pick up on behavioral cues from others.

### **Students with Attention Deficit Disorder (ADD)**

ADD is a neurological condition that affects learning and behavior and occurs in approximately 5% to 10% of the population, depending on what scientific studies you read. It begins in childhood, and it was initially thought to be outgrown by adolescence. However, we now know that this is probably true for only 40% to 60% of persons with ADD. Symptoms of the disorder may include attention deficits, impulsivity, hyperactivity, mood swings, low frustration tolerance, and difficulty falling asleep at night. Additionally, some people may daydream, some may have difficulty completing tasks, and others may be forgetful and disorganized. These may appear as common student characteristics; however, ADD isn't situational and is pervasive throughout situations and activities.

All of the symptoms of this disorder have an impact on academic performance. There may be problems with time management, maintaining or shifting focus, completing assignments on time, organizing and setting priorities. ADD does not always occur alone, and about 40% of individuals with ADD can also be learning disabled or have other problems such as anxiety, depression, tics, or obsessive-compulsive disorder.

Here are some common accommodations for ADD/ADHD (Attention Deficit Hyperactivity Disorder):

**Lectures** - During lecture classes, the student with ADD/HD may:

- ✓ Need the assistance of a note taker
- ✓ Need to sit in the front of the room
- ✓ Benefit from the use of visual aids, handouts, and the blackboard
- ✓ Need the use of a laptop computer

**Writing Papers** - When writing papers, the student with ADD/HD may:

- ✓ Need to meet with professors for clarification of writing assignments
- ✓ Wish to have rough drafts evaluated
- ✓ Require extra time to complete in-class writing assignments

**Exams** - During exams, the student may:

- ✓ Need extended time to complete exams and or take the exam in a distraction-free environment.

### **Auxiliary Aids**

- ✓ Use of a tape recorder for lectures
- ✓ Use of a calculator
- ✓ Use of a computer for in-class writing assignments
- ✓ Textbooks on tape from Recordings for the Blind and Dyslexic

### **Students with Orthopedic or Mobility Impairments**

Persons with mobility impairments include those who have orthopedic, neuromuscular, cardiovascular, and pulmonary disease. Persons with such disabilities may use wheelchairs, crutches, braces, walkers, artificial limbs, or other assistive devices. Functional limitations may include decreased ability to write due to weaknesses or paralysis, decreased motor coordination, or decreased physical stamina.

Physical access for those with mobility impairments is a major challenge. They must negotiate their way through narrow classroom aisles, over uneven surfaces, up ramps, past vehicles that block curb cuts, in rest rooms, through heavy doors, and into facilities that have inadequate provisions for wheelchairs.

#### **How You Can Help a Student with Mobility Impairments:**

- Avoid making assumptions about the ability of a student with mobility issues to participate in certain classes, such as physical education. Ask the student what academic adjustments will be needed.
- Ask the student what academic adjustments will be needed in order to participate in fieldtrips or activities that require physical mobility.
- Ask other student to keep the path of travel clear of books and backpacks.
- Request a classroom that has a table for wheelchair users. Contact the Disabilities Specialist with assistance in classroom assignment if necessary.
- Consider that a person with a mobility impairment has to negotiate travel through crowded hallways and slow elevators between classes and may be late to your class. If possible, the student's course schedule should be planned with these travel challenges in mind.

### **Students with Visual Disabilities**

Many of the adaptations students with visual disabilities may need involve making printed materials more accessible. It can take weeks or months for textbooks to be Brailled or recorded, so your advance planning will greatly help students. A variety of visual impairments will require a variety of adaptations, so it is best to find out what your student's needs are:

- Avoid making assumptions about the ability of a student with a visual impairment to participate in certain classes, such as art classes. Ask the student what academic accommodations will be needed and consult the Disabilities Specialist to secure any adaptive equipment that may be necessary.
- If you are teaching a lab, orient the student with a visual disability by describing the surroundings, keeping safety issues in mind (chemicals, barriers that can trip people, emergency exits).

### **Students with Hearing Disabilities**

Persons who have lost their hearing after they developed language are more likely to use amplification devices or lip-reading than sign language. Please note that lip-reading, even under ideal conditions such as good lighting, and appropriate articulation, is challenging. **At best, people who lip-read can understand only up to 40% of spoken words.** Repeating yourself or rephrasing will be helpful to people with hearing issues, as will direct eye contact. Some persons with hearing disabilities may use spoken language but may not have control of their speaking volume. Written communication is appropriate in communicating with a person with a hearing disability, and writing notes is an acceptable option.

- Avoid making assumptions about the ability of a student with hearing issues to participate in certain classes, such as a music course. Ask the student what academic accommodations will be needed.
- Keep your class accessible by allowing students with hearing disabilities to sit in the most advantageous place.
- Consider arranging chairs in a circle for classroom discussions.
- Reduce background noises in consideration of those who use amplification devices.
- Do not lecture to the class while you are facing the blackboard.
- Remember that facial hair may have an impact on a student's lip-reading ability.

### **Students with Psychological Disorders**

It is not unusual during the college years for a student to have recurrent or first-time emotional problems that interfere with academic functioning. Conditions like fatigue, inability to concentrate, anxiety, procrastination and/or missing class can be symptoms of underlying problems that haven't been addressed. Students who are struggling to keep up with academic demands for any reason are encouraged to visit the Counseling

Center for assessment of the problem and to develop strategies for resuming successful functioning.

See “Counseling Center” in section titled “Student Services” p. 164-165.

### **Eligibility for Receiving Academic Adjustments**

In order to determine whether or not a student needs academic adjustments/auxiliary aids, the student must provide documentation of his/her disability to Skidmore’s Disabilities Specialist who will decide whether or not academic adjustments/auxiliary aids are necessary. Once this determination is made, the Disabilities Specialist will prepare semester letters for the faculty. To protect the student’s privacy, the student is not obligated, but is urged, to discuss the disability with faculty.

Semester letters are prepared and distributed by Disabilities Specialist. It is the student’s responsibility to activate accommodations by making arrangements with faculty.

### **Responsibilities of Students with Disabilities**

Students with disabilities have the same obligations as any other student to meet and maintain the College's academic standards. Students are responsible for advocating for their own individual needs and for seeking information, counsel, and assistance as necessary. This responsibility includes:

- Providing appropriate documentation of the disability to the Disability Specialist in order to determine appropriate academic adjustments and services
- Adhering to reasonable deadlines established by faculty for requests of special academic accommodations
- Making themselves available to faculty or advisors to discuss individual concerns
- Meeting with faculty well in advance of exams in order to arrange for extended time or a distraction-free test location
- Making contact with faculty when mid-term or final exam schedules are in conflict with other courses

### **Registration Considerations for Students with Disabilities**

**Course Selection** - Balance in course selection is critical for students with learning disabilities. When selecting courses, reading and writing loads should be carefully considered. For some students, 12 credits is an appropriate course load. A reduced

course load may lengthen degree completion and possibly require attendance in summer school.

**Scheduling of Classes** - Balance is equally important here as well. MWF classes are preferable because the classes meet more frequently for shorter periods of time. Avoid scheduling classes back to back so there is a transition period in between.

**Additional Concerns** - The student is encouraged to discuss academic strengths and weaknesses with regard to specific courses with his or her advisor.

## **Overview of the Laws Protecting Persons with Disabilities**

The following pages outline the specific laws that have been enacted to mandate equal access for students with disabilities. While some of the legal language can seem formidable in tone, the legislation regarding disabilities is essentially about access and opportunity, and the chief motivation is about fairness and equity—helping people with good qualities of mind realize their intellectual and personal potential. The responsibility of acting within the laws does not fall solely on one individual but rather on the institution as a whole. The purpose of including the legal mandates in a faculty handbook is to provide the historical background of the legislation.

### **The Rehabilitation Act of 1973**

Title V of the Rehabilitation Act of 1973 is generally regarded as the first "civil rights" legislation on the national level for persons with disabilities. Of direct importance to the post-secondary community is Subpart E of **Section 504**, which reads:

*"No otherwise qualified person with a disability in the United States...shall, solely on the basis of a disability, be denied access to, or the benefits of, or be subjected to discrimination under any program or activity provided by any institution receiving federal financial assistance."*

This protection includes, but is not limited to, students who have a physical or mental impairment that substantially limits "one or more major life activities."

While Subpart E does not require that special educational programming be developed for students with disabilities at the college level, it does require that an institution be prepared to make appropriate academic adjustments and reasonable modifications to policies and practices in order to allow the participation of students with disabilities in the same programs and activities available to non-disabled students.

### **Under the provisions of Section 504, colleges and universities may not:**

- limit the number of students with disabilities admitted;

- make pre-admission inquiries as to whether or not an applicant is disabled;
- use admission tests or criteria that inadequately measure the academic level of blind, deaf, or otherwise disabled applicants, because special provisions were not made for them in the testing procedures;
- exclude a student from a course of study who meets technical standards;
- measure student achievement using modes that adversely discriminate against the student with a disability (in other words, we need a measure of the student's ability rather than, in effect, testing his or her disability).
- It is clear from the legislation, and from general principles of equity, that Skidmore must admit academically qualified students with disabilities according to the same competitive criteria that are employed in all of our admissions decisions.

### **The Americans with Disabilities Act (ADA), 1990**

The Americans with Disabilities Act is a federal civil rights law enacted on July 26, 1990, and is intended to integrate persons with disabilities into every aspect of society. It is viewed as a "bill of rights" for persons with disabilities and builds upon many state and federal laws, including Section 504 of the Rehabilitation Act of 1973. The ADA prohibits discrimination on the basis of disability, and provides for entitlement "in the full and equal enjoyment of goods, services, facilities, privileges, advantages or accommodations of any place of public accommodation by any person who owns, leases, or operates a place of public accommodation."

The ADA protects any individual with a physical or mental impairment which substantially limits that person in some major life activity, and any individual who has a history of, or is regarded as having, such an impairment. As with Section 504 of the Rehabilitation Act, the key terms of this definition are: "physical or mental impairment, substantially limits, and major life activity":

- "Physical or mental impairment": In order to fall within the guidelines of the ADA, a covered impairment must be a chronic physiological or mental disorder.
- "Substantially limits": An impairment substantially limits an individual in a major life activity if the person cannot perform the life activity at all, or if the individual is limited in the condition, manner, or duration of that activity.
- "Major life activity": Examples that would be considered "major life activities" include, but are not limited to: walking, seeing, speaking, breathing, learning, working, or performing manual tasks.

A "qualified person" with a disability is defined as one who does in fact meet the academic and physical requirements requisite to admission or participation in the College's programs and activities. The term "technical standards" refers to the physical and academic requirements of a program. This includes, but is not limited to, students with any of the following disabilities:

AIDS	Diabetes	Mental Illness
Cancer	Hearing Impairment	Orthopedic Impairment
Cerebral Palsy	Learning Disability	Visual Impairment

Under the ADA, which draws heavily on Section 504, colleges and universities are prohibited from discriminating against a **qualified person** with a disability in all aspects of academic life. This means that the college must provide necessary auxiliary aids and academic adjustments in the academic realm to accommodate the known physical or mental disabilities of an otherwise “qualified individual”. Such modifications for students with disabilities could include:

- extending the time permitted to earn a degree;
- modifying teaching methods and examinations to meet the needs of students with disabilities;
- developing course substitutions within departments (in rare instances, a department may allow course substitution for a college requirement);
- allowing the use of such learning aids as tape recorders, word processors, and pocket spellcheckers and calculators.
- providing psychological counseling services

One of the most important principles to keep in mind is this: the college is under no obligation to assure the success of students with disabilities, only to assure that students have the same opportunities as other students to be successful on the basis of their intellectual abilities and academic achievement.

We need also to recognize that all programs conducted through Skidmore are covered by Section 504 - grant funded programs, off-campus programs, continuing educational programs, etc. The programs and activities, when viewed in their entirety, must be readily accessible to and usable by people with disabilities. There may be cases, of course, in which a student’s disability does not qualify him to meet the essential academic, physical, or technical requirements of a particular course or discipline. Faculty are not required to diminish or set aside academic expectations that are clearly and demonstrably essential to the discipline to be mastered or the skills to be acquired in a particular course of study.

Provided below are some general ADA guidelines to protect individuals against discrimination based on disability:

- A qualified individual (someone who meets the College’s criteria for admission) with a disability must be provided access to programs, activities and services that are offered to others.
- A qualified person with a disability must have an equal opportunity to participate in or benefit from that which is offered to others.

- Individuals with disabilities may not be charged extra for costs incurred in barrier removal, alternatives to barrier removal, reasonable modifications, or the provision of classroom auxiliary aids to make the college environment accessible and usable.

## **Confidentiality**

Students with disabilities are protected from discrimination under Section 504 of the Rehabilitation Act of 1973 and under the Americans with Disabilities Act of 1990. Recognizing that discrimination often occurs as a result of attitudinal barriers and misconceptions regarding the potential of persons with disabilities, these federal mandates for nondiscrimination carry within them strict rules regarding the confidential treatment of disability-related information.

### **What are the Rules Regarding Confidentiality?**

- Persons with disabilities must provide current, comprehensive documentation from an appropriate professional to establish the existence of their disability and their need for accommodation and consideration.
- Disability-related information should be treated as medical information and handled under the same strict rules of confidentiality as is other medical information.
- Disability-related information should be collected and maintained by the Disabilities Specialist and kept in secure files with limited access.
- Disability-related information should only be shared on a limited basis with the College community. It may be shared only when there is compelling reason for the individual seeking information to know some specific aspect of this confidential information. In such cases the student must sign a consent form.

### **Why are Rules so Strict?**

Some disability-related information is clearly medical in nature. Other disability information is not clearly medical (e.g., family history, social behavior patterns, etc). However, if an individual has a disability that has strong societal impact today (AIDS, or psychiatric illness), it is easy to understand why it is important to protect the privacy of that individual by handling this information in a highly confidential manner. The federal statutes regarding persons with disabilities hold the promise that they will provide no lesser level of protection for any one individual, or class of individuals, with disabilities than they do for another. Therefore, since some disability-related information must be guarded closely, all such information should be protected equally.

Students are encouraged to discuss disability-related information with faculty that is related to their course of study. If faculty have concerns about a student, they should address the concerns with the student. The Disabilities Specialist can discuss “general concerns” but can only divulge specific information with the student’s permission.