

A GUIDE FOR
PROSPECTIVE STUDENTS

Disability Services

Fostering equal access, self-advocacy
and inclusion

NDSU DISABILITY
SERVICES

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MISSION STATEMENT

The mission of NDSU Disability Services is to collaborate with the NDSU community to facilitate equal access in academic pursuits, promote self-advocacy and foster inclusion for students with disabilities.

INTRODUCTION

As students leave high school to enter NDSU, they will find fundamental changes with respect to their education as a person with a disability. Every student who attends public school has a legal entitlement to an education, regardless of a disability. Students with disabilities are identified by the school and provided with appropriate supports and services depending on their educational needs.

In higher education, students have a legal right to equal access to their education. One of the major differences between K-12 and higher education is that the individual student is responsible for themselves and is not the responsibility of the institution. It's a distinction that can make a big difference.

This handbook explains some of the differences between K-12 and higher education as well as provides tips on how to support students during this next step.

Federal law

Students should take responsibility for their academic needs and limitations. Acknowledging and recognizing a disability is nothing to be ashamed of. This will allow them to identify areas in which they should consider requesting accommodations that may level the playing field. It will also make it easier to communicate about their accommodations to instructors, other students and anyone from whom they may need assistance.

As soon as a student is accepted into NDSU, it is recommended that they register with Disability Services where they will discuss their barriers and possible accommodations. This will be one of the first steps in the student becoming their own advocate. Students will develop independence by taking responsibility for requesting and making appropriate arrangements to ensure success in classes.

There is a big difference between entitled to education and right to equal access to education. Unlike elementary and secondary schools, post-secondary education offers access rather than entitlement to academic programs. There are several laws that address how students are to receive a fair and equal education. These laws are different for students in K-12 than they are for post-secondary institutions.

EDUCATION FOR ALL HANDICAPPED CHILDREN ACT

This act, commonly known as Public Law 94-142, provided that any child with a disability was “entitled to a free and appropriate education” in public school systems. This law, along with its numerous re- authorizations, reflects the nation’s commitment to educating all its children, whether they have disabilities or not.

Fundamentally, 94-142 and its successors (including the Individuals with Disabilities Education Act of 1990 and IDEA Improvement Act of 1997) said that public schools, with your parent input and appropriate assessments, would determine what was most appropriate for their child’s education. Then they were required to provide that education.

Now, however, the child has reached adulthood under the law, and the rules of the game have changed. The principles of 94-142 and IDEA, including the required IEP (Individualized Education Program), no longer apply. Note: 504 Plans, under which many students are now served in high schools, are no longer valid either.

AMERICANS WITH DISABILITIES ACT

In 1990, Congress passed the Americans with Disabilities Act. This law, based on section 504 of the Rehabilitation Act of 1973, is a civil rights law. It prohibits discrimination on the basis of disability as long as the person is otherwise qualified. In the case of publicly funded colleges and universities, ADA affirms the right of a student with a disability to a level playing field.

That means that a college or a university must ensure access to all students who are otherwise qualified. Access means much more than ramps and elevators and wide parking spaces. It also means access to information and to technology. Therefore, colleges and universities must make reasonable accommodations for a student’s disability, in order that they may be able to demonstrate their ability.

However, civil rights laws and the reasonable accommodations they call for are in no way intended, nor are they able to, guarantee success. At most, a student can expect an equal chance to do the same work as their peers.

In higher education, the individual with a disability bears the burden of proof. Unlike public schools, there are no requirements for providing evaluation of individuals with disabilities. The person with a disability must themselves provide documentation of a disability. In public schools, whether under IDEA or Section 504, the school is responsible for adequate and regular assessments. This is no longer the case once a student leaves high school and attends a college or university.

A 504 Plan from a high school -- or for that matter, an IEP -- is in no way obligatory upon any institution or entity outside of the school in which it was developed. There are no requirements for any plan under Section 504 or the ADA with respect to higher education, employment or other areas of public life. Therefore, there are no more meetings each year with counselors, teachers, etc. There is nothing to sign.

FREE AND APPROPRIATE EDUCATION

“Free and Appropriate Education” (FAPE), first put forth in law under special education legislation in 1975, no longer applies. Though it is still referenced as a requirement for high school under regulations governing Section 504, there are no such references with respect to higher education in any federal regulations for either Section 504 or the ADA. Rather, higher education carries with it all the necessary costs, and students with disabilities must pay the same as their non-disabled peers. In higher education then, FAPE is not regarded as a part of 504’s nondiscrimination prohibitions. In all areas outside of public schools, nondiscrimination is accomplished by means of barrier removal, including “reasonable accommodations.”

The term “otherwise qualified individual with a disability” carries a different connotation and subsequently greater weight and responsibility on the part of the individual than may have been the case in high school and certainly elementary school. It means that students must meet academic standards. In public schools, this refers only to the age of the individual as being appropriate for elementary or high school. In higher education, it ultimately refers to a student’s academic proficiency and ability to demonstrate learning. “Placement” and “least restrictive environment” are no longer considerations. Placement in an environment which is restrictive or protective in any way would be a violation of an individual’s civil rights and counter to the spirit of Section 504 and the ADA.

Some services provided to high school students under Section 504 may not be provided in higher education because they in fact reduce the academic standards. Shortening assignments or reduced exam questions, for example, is viewed as compromising academic standards and therefore is not “reasonable” to request in college.

In higher education, therefore, students with disabilities must possess higher-level skills in all aspects of learning – skills and strategies appropriate with the academic expectations in higher education and, later, professional careers. These necessitate more sophisticated strategies in many cases. Reasonable accommodations can create a level playing field, but once achieved, students must then demonstrate their skills and knowledge adequately.





Reasonable accommodation

Reasonable accommodations are made in order to level the playing field for qualified individuals with disabilities. As much as possible, accommodations are designed to minimize the functional limitations of an individual in a given task.

These adjustments provide students with disabilities the opportunity to learn by removing barriers that do not change the academic standards. This is typically accomplished with services or strategies focused on reducing barriers that prevent equitable access to the course and materials. The ADA assumes that people with disabilities have every right to attend colleges and universities – regardless of whether they have a disability. Access means empowering students with disabilities to take better control of their academic environment, permitting them to demonstrate their skills and knowledge. It also expects, however, that they can meet the academic standards with appropriate accommodations.

WHAT IS MEANT BY OTHERWISE QUALIFIED?

When a student is accepted into a college or university, they have demonstrated that they are, in fact, a qualified individual, despite having a disability. This is different, of course, from the way things were when they entered public school. Whether or not the disability was known at that time, or whether they acquired a disability later didn't matter. There was only one qualification for entry into public school: as children of the appropriate age, they were entitled to learn to the best of their ability. Following admission, each individual is expected to continue demonstrating they are otherwise qualified by meeting or exceeding the academic standards set by the institution, and they must do so whether or not they request accommodations.

WHAT IS MEANT BY THE PHRASE “WITH OR WITHOUT REASONABLE ACCOMMODATIONS?”

Understanding this phrase is critical to understanding the distinction between a civil right and an entitlement. There is no guarantee of success at a college or university. Civil rights laws do not mandate that a student cannot fail. Students with disabilities must perform at the level that their academic and professional programs expect of all students. The college or university will strive to level the playing field, but ultimately the student's work must be their own and be of a satisfactory quality.

In addition to guaranteeing civil rights to reasonable accommodations, the ADA also guarantees any individual with a disability the absolute right to refuse any accommodation. That means that Disability Services or NDSU doesn't have to make sure that a student requests accommodations.

While our disability specialists rely on documentation of the disability when determining accommodations, they also rely on the student to discuss their functional limitations and possible strategies to overcome those limitations. If a student doesn't request an accommodation, however, the consequences of that action belong to the student.

Typical types of accommodations

ACCESS TO ASSISTIVE TECHNOLOGY

A variety of assistive technology is available to students with disabilities. Some students may need to type their notes or assignments on a computer, with or without special software. Students with visual impairments may benefit from screen-reading software. Other students may need to use a Braille typewriter, note-taking solutions or magnifying products.

ACCESS TO CLASS NOTES

Note takers can help students who are not able to take their own or sufficient notes during class due to a disability or an ongoing medical condition. Note taking does not replace attendance requirements.

ALTERNATE FORMAT MATERIAL

Students with a variety of disabilities including, but not limited to, blindness or low vision, physical disabilities and learning disabilities, may require their print materials to be produced in an alternative format (electronic, large print or Braille). Alternate format materials provide students with print disabilities access to academic materials.

ASL INTERPRETING

An interpreter/transcriber is simply one who bridges the gap between the spoken and deaf world. When the teacher or a classmate speaks, the interpreter/transcriber translates the spoken words into the language preferred by the deaf or hard of hearing student. The student likewise participates in the classroom by signing or typing the information and the interpreter voices it (talks) for the class.

ASSISTED LISTENING DEVICES

Some students who are hard of hearing may require an assistive listening device. Each device is different. In most cases, unless there is an audio system in the room that has a built-in ALD, the instructor will be required to wear a small device with a microphone so that the student can hear.

CAPTIONING

Students who are deaf or hard of hearing will need to have all videos shown in class to have captioning.

RECORDING LECTURES

Some students may need to be able to record their lectures due to the nature of their disability.

TESTING ACCOMMODATIONS

Some accommodations relate to test taking. Time-and-one-half for testing is the usual accommodation given to students who, for disability-related reasons, work slowly and require additional time to complete tests. A few students also may need to take tests in a room with limited distractions or with no other students present. For example, a student may need to read test questions aloud, and this would be disturbing to other test-takers. Still other students may request the use of a laptop computer or adaptive computer technology for taking essay exams, distraction-reduced rooms, a scribe, large print, special lighting, etc. Disability Services provides a testing space as a service for faculty and students.



Frequently asked questions

WHAT SERVICES DOES DISABILITY SERVICES PROVIDE?

Disability Services coordinates and provides accommodations for academic programs and events. Accommodations may be individualized to address a specific functional limitation.

Accommodations are optional and students may select one or more accommodations to best meet their functional limitations.

Some examples of accommodations include scribes, note-takers, assistive technology, interpreter services and relocation of classes to accessible facilities.

WHO WILL MANAGE STUDENTS' EDUCATIONAL SERVICES?

Students are ultimately responsible for managing their own education, understanding their functional limitations and requesting necessary accommodations for a disability. As adults, students will need to develop skills to self-advocate for things they may need. These skills are crucial because it is the student, not Disability Services, who will approach instructors, other staff and even other students to request accommodations that are reasonable for them to receive. Clearly, these are the skills all students need to have when they leave college and move successfully into their chosen careers. Disability Services will be there to support and guide the student through this process, but ultimately it is up to the student to take control of their education.

HOW DO STUDENTS ADVOCATE FOR THEMSELVES TO ENSURE THEY RECEIVE APPROPRIATE ACCOMMODATIONS?

Students must advocate effectively for the accommodations they require at the university. To do this, students need to understand their disability and how it limits their functioning at the university. The limitations of the disability, not the disability itself, are the reason accommodations are recommended and provided.

In order for Disability Services to provide the most appropriate, most reasonable accommodation, documentation should be provided that follows the guidelines listed below. Once a student registers with Disability Services and appropriate documentation is provided, an intake meeting will be scheduled to discuss the impact of the disability within the academic environment.

HOW DO YOU REGISTER WITH DISABILITY SERVICES?

The following is the process for registering with Disability Services.

1. Student submits an application for Disability Services through the Bison Accessibility Portal found at www.ndsu.edu/disabilityservices.
2. Student provides documentation from a qualified professional, which should be recent (three years old or newer is preferred). The best quality documentation is from a licensed or credentialed professional with expertise in the diagnosed area of the disability. The professional making the diagnosis must not be related to the student. Documentation should include the following:
 - A clear diagnostic statement that describes when and how the condition was diagnosed and provides information on the impact of the disability.
 - A description of the diagnostic methods (if applicable).
 - A description of how the conditions will impact the student within the academic or university environment.
 - Recommendations for reasonable accommodations.
3. Student calls Disability Services to set up an intake meeting at their earliest convenience.
4. Student meets with a disability specialist.
 - The student must be present and can invite parents, guardians or other individuals to the meeting. If the student does not want parents or guardians in the meeting, it is his or her choice.
 - At the intake meeting, the staff member needs input information from the student.
5. After the intake meeting, the student's accommodations will be available through the Bison Accessibility Portal.
6. The student then selects the accommodations they would like for each course. Once they select accommodations for a course, an email is sent to faculty informing them of approved accommodations.

DOES DISABILITY SERVICES PROVIDE EVALUATIONS?

Neither the Americans with Disabilities Act nor Section 504 requires institutions of higher learning to evaluate and assess students with disabilities or suspected disabilities. This is in contrast with public schools where students are entitled to an assessment(s). Disability Services can direct you to appropriate qualified professionals when information is too old to accurately reflect the student's functioning, if the student has not been previously diagnosed with a disability or if the professional who did the assessment would not be otherwise qualified in that area.

A STUDENT HAD SOME SUBJECTS WAIVED IN HIGH SCHOOL. WILL THEY AUTOMATICALLY BE WAIVED IN COLLEGE?

There are no “automatic” waivers in higher education. In fact, there are no waivers at all. Rather, under certain circumstances, students may be granted substitutions for some courses. But substitutions will be considered only when students demonstrate both that they are otherwise qualified, and that the substitution removes a disability-related barrier to their academic program. Remember that ADA provides for reasonable accommodations for students with disabilities. Under ADA, however, it is not reasonable to lower the academic standard. Therefore, requests for substitutions must be accompanied by convincing documentation supporting the claim. The student would need to meet with a disability specialist to discuss their specific situation. Meeting with a disability specialist regarding this does not mean the request will be granted.

IF A STUDENT’S 504 PLAN OR IEP IS SENT TO THE OFFICE OF ADMISSION, ARE THEY AUTOMATICALLY REGISTERED WITH DISABILITY SERVICES?

No. Please do not send documentation to the Office of Admission. All documentation should be sent to Disability Services. Upon applying with Disability Services, students should call Disability Services to set up an intake meeting. Please see the “Registering with the Disability Services” section above for more detailed instructions. Documentation can be scanned and emailed (ndsudisability.services@ndsud.edu), faxed (701-231-8520), mailed (see address at the end of this document) or dropped off in person. Provided information will be saved in a prospective file and shredded according to university policy.

A STUDENT HAD AN IEP OR 504 PLAN IN HIGH SCHOOL. WILL THEIR PLAN AUTOMATICALLY BE IMPLEMENTED AT NDSU?

While an IEP or 504 plan may be helpful in understanding a student’s barriers and needs, those modifications or accommodations do not transfer to NDSU. IEPs and 504 plans focus on helping the student participate in the general curriculum as much as possible. It often involves significant modification of the curriculum and of assessments. At the university level, students with disabilities will be graded by the same standards as other students, regardless of the means through which their responses are provided. Instructors are NOT required, nor encouraged, to fundamentally alter the content or goals of their courses, though they may be required to make changes that do not affect essential content or goals.

WHY CAN’T PARENTS ACCESS INFORMATION ABOUT THEIR STUDENT’S SERVICES?

Once students enroll in a post-secondary institution, whether they are 18 years old or not, they become the sole guardian of all records maintained by that institution. Under the Family Educational Rights and Privacy Act of 1976 (FERPA), the student has the right to access their own records upon written request.

The parent or guardian does not share that right. This means that parents do not have legal access to their student’s grades, transcripts or any information concerning the services they are provided through Disability Services. This information is confidential.

However, the student may sign a written release of information which gives the institution the right to disclose their records to their parents. The only time a student’s record may be disclosed without written consent would be to comply with a subpoena or in an emergency situation where the health and safety of the student or another individual is threatened.

SHOULD THE STUDENT MEET WITH FACULTY MEMBERS TO DISCUSS THEIR EDUCATIONAL NEEDS?

Face-to-face exchanges between students and instructors are the most beneficial. It is critical that communication between the student and instructor results in the provision of appropriate accommodations. Students are encouraged to discuss with the instructor the accommodation that was approved through Disability Services. This is best accomplished either before classes begin, or at the latest during the first week of classes. This introduces the student and their request for accommodations early. Students will likely need to talk with instructors more than once a semester, so the first face-to-face meeting is very important.

Communication is the key to successful implementation of services. Students have a number of options open to them in the event that communication with instructors does not result in accommodations being received. Students should stay in touch with their disability specialist to discuss all of their options. The disability specialist is a person inside the Disability Services office who students may meet with to discuss concerns.

WHERE CAN FREE TUTORING BE OBTAINED ON CAMPUS?

NDSU has some excellent tutoring resources that students can take advantage of. Students are encouraged to use these resources.

• ACE TUTORING

ACE Tutoring (www.ndsu.edu/ace) is a free academic support program available to all enrolled undergraduate students. They help students understand course concepts, find a study group or simply have access to a quiet place to study. ACE helps students meet academic goals.

Lower Level of the West Dining Center

Phone: 701-231-8379

Email: ndsu.ace@ndsu.edu

• TRIO STUDENT SUPPORT SERVICES

TRIO Student Support Services (www.ndsu.edu/trioss) at NDSU is supported through a federal grant and is designed to enhance the educational experience of eligible students while at NDSU. They provide free services to NDSU students, such as specialized academic advising, one-on-one tutoring, career exploration options, priority registration, mentoring services and instruction. Students who receive the Pell Grant may be eligible for extra financial aid through Student Support Services Grant Aid during their first two years of college.

TRIO main office

Ceres Hall 337

Phone: 701-231-8028

Email: scott.norenberg@ndsu.edu

DOES DISABILITY SERVICES HANDLE HANDICAPPED PARKING?

No. Individuals who want to use university-designated handicapped parking areas must obtain a State Handicapped Permit from the Department of Motor Vehicles. A handicapped permit must be displayed in conjunction with a valid NDSU permit. Handicapped spaces in pay station lots do not require an additional NDSU permit, but do require payment at the pay station kiosk.

Persons with short-term medical conditions or injuries may receive more accessible parking options at NDSU Parking and Transportation Services for up to six weeks. Appropriate written verification of need from your medical provider is required. Please contact Parking and Transportation Services at www.ndsu.edu/parking for more information.

A STUDENT HAS LIMITED MOBILITY NEEDS. HOW CAN DISABILITY SERVICES HELP TO MEET HOUSING NEEDS?

To set up housing accommodations, the student must follow a process much like academic accommodations. When requesting Residence Life accommodations at NDSU due to a disability, Disability Services needs to determine whether there is a condition or combination of conditions that constitute a disability, and whether the disability causes limitations for which reasonable accommodations are needed. Documentation will assist Disability Services in understanding how the disability may have an impact in the residence halls and the current impact of the conditions as it relates to the housing request.

Please note: Residence Life accommodations can take up to 60 days after a request is made and documentation is submitted.

The first step is to fill out a Residence Life Student Request Form <https://sierra.accessiblelearning.com/NDSU/ApplicationStudentResidence.aspx>.

Disability Services will work with Residence Life to make reasonable and appropriate accommodations, based on documentation. Most housing accommodations are made out of concern for safety (e.g., placing a student with limited mobility on the first floor). Please contact Disability Services for more specific information.

A STUDENT WAS REGISTERED WITH THE DISABILITY OFFICE OF ANOTHER SCHOOL. DOES THE STUDENT NEED TO REGISTER WITH NDSU'S DISABILITY SERVICES?

Yes, if the student would like accommodations. The student will need to follow the procedures mentioned earlier to register with NDSU Disability Services. This includes providing documentation that explains the diagnosis, academic impact and specific recommendations for the student. Sometimes a student's file may be faxed to NDSU from their previous institution. Please contact the previous university to see if this is possible.

Helpful tips

- The entire accommodation process must be student-initiated. It is not the post-secondary institution's responsibility to initiate the accommodation process for the student.
- While parents may want to advocate for their student and assist in the accommodation process, confidentiality laws prohibit NDSU personnel from discussing information with anyone, including parents, without written consent from the student.
- The student is responsible for ensuring that appropriate documentation is obtained and received by NDSU Disability Services.
- Accommodations such as note-taking services and testing accommodations require the student to follow certain procedures. If these procedures are not followed, the student could risk losing the support of these accommodations.
- When the student experiences any difficulties with their accommodations or if the status of their disability changes, it is their responsibility to inform Disability Services as soon as possible. If Disability Services does not hear from the student, it will be assumed that all is well.
- Each semester, it is the student's responsibility to request accommodations for all of their courses through the Bison Accessibility Portal. Accommodations are not put in place until requested by the student.
- Students are encouraged to open a file with Disability Services, even if they think they might not use services. It is much easier to request accommodations mid-semester if the initial paperwork is completed already.

Checklist for a successful transition

The student is responsible for the following:


- Developing self-advocacy skills prior to attending NDSU
- Knowing their diagnosis and being able to communicate needs
- Knowing their learning style - which is more helpful, visual or verbal information?
- Being able to identify their strengths and interests
- Being proficient in voicing and identifying their challenges
- Clearly stating their needs
- Collecting recent documentation regarding his or her disability. Documentation should include diagnostic information, tests used to determine diagnoses. IEPs or 504 plans are helpful but are not to be the only documentation.
- Reviewing and understanding the documentation
- Making an appointment with NDSU Disability Services by calling 701- 231-8463
- Bringing documentation to the appointment and be prepared to discuss their needs



Contact Information

 ndsu.edu/disabilityservices


Contact us:

 701-231-8463
Fax: 701-231-8520

 ndsu.disability.services@ndsu.edu

Visit us:

 Main Library 17 (lower level)

 Monday - Friday
8 a.m. - 5 p.m.
7:30 a.m. - 4 p.m. (Summer/Breaks)

Mailing address:

 NDSU Disability Services
Dept. 2860, PO Box 6050
Fargo, ND 58108-6050