Civil Rights and the Law

Legislation prohibiting discrimination based on disability, to ensure equal access for people with disabilities:

• The Americans with Disabilities Act, 1990
• The ADA Amendments Act, 2008
• 504 of the Rehabilitation Act, 1973
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• Higher Education Amendments Act
Who is a ‘person with a disability?’

• A "person with a disability" is defined as any person who
  – (1) has a physical or mental impairment that
    substantially limits one or more major life activities,
  – (2) has record of such an impairment, or
  – (3) is regarded as having such an impairment

• Examples of major life activities include walking, seeing, hearing, speaking, breathing, learning, concentrating, working, caring for oneself, major bodily functions and performing manual tasks
Eligibility Process

- Student completes application for services.
- Student self-discloses disability to DS office.
- Student submits documentation and completes an intake.
- Student requests specific accommodation(s). Verification paperwork is prepared for student.
- Student utilizes accommodation(s) and meets with instructors of his/her courses as needed.
- Student reports any problems with accommodations to the DS office as soon as possible.
Student Rights & Responsibilities

Students have a right to:

• Confidentiality/privacy of disability-related documentation/information
• Equal access to university programs and facilities through reasonable accommodations
• Information and advisement, promoting self advocacy
• Appeal decisions related to accommodations if they feel their requests have not been adequately addressed.
• They have a responsibility to open a file with Disability Services, self-disclose relevant information about their disability and request accommodations in advance of the need; some requests taking longer than others to process.
Role of Disability Services

- Determine eligibility for students applying for disability services
- Determine appropriate accommodations for students with disabilities
- Provide verification letters for the student to give to instructor/s identifying specific accommodations
- Consult with instructors to implement accommodations
- Maintain confidential records for each student
- Provide disability-related assistance to students, staff and faculty, as needed
Reasonable Accommodations

• Reasonable accommodations are provided to ensure equal access to the educational opportunity

• Unreasonable accommodation
  – Makes a substantial change in the essential element of the curriculum
  – Makes a substantial alteration in the manner in which the service is provided
  – Poses an undue financial or administrative burden
  – Poses a direct threat to the health or safety of others
Examples:
Accommodations/Auxiliary Aids

- Testing Accommodations (extended time, distraction-reduced environment, audio access, scribe)
- Note Taking
- Books in Audio or Electronic Format
- Preferential Seating
- FM System, Sign Language Interpreter
- Open and Closed Captioning
- Residence Life Room/Dining Needs
- Priority Registration
Transition Tips for Parents

• Shift from advocate to advisor.
• Assist student in understanding and explaining the disability.
• Share communication strategies to help student express concerns and identify or discuss possible solutions.
• Guide student to campus resources for additional support.
Assistive Technology

- Livescribe Smartpen
- Read&Write GOLD
  [https://www.ndsu.edu/its/software/software_license](https://www.ndsu.edu/its/software/software_license)
- Dragon Naturally Speaking
- IPAD/Iphone Apps
  - Notables (electronic post-its)
  - Index cards apps.
  - Note taking/time management
QUESTIONS ????

Disability Services
Dept. 2860, P.O. Box 6050
Main Library, Suite 17
Fargo, ND 58108-6050
701 231-8463
http://www.ndsu.edu/disabilityservices/