

# ADA Frequently Asked Questions

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## What is a Reasonable Accommodation?

**A reasonable accommodation** is a *modification* or *adjustment* to a class or program that will enable a person with a verified disability to equally participate in the program or class or to enjoy the rights and privileges offered by the college. Modifications that impose an undue burden or pose a health or safety risk are not considered reasonable (more information below). Contact the Disabilities Support Programs and Services (DSP&S) Coordinator if you feel that a requested accommodation places an undue burden on you.

## How do students become eligible for accommodations?

Students with disabilities who wish to receive accommodations or services must disclose the disability and make a personal request to DSP&S. The student meets with a DSP&S adviser, submits required disability documentation, and formally requests services, including accommodations. A disclosure of disability or request for an accommodation made to a faculty or staff member, other than the staff of DSP&S, must be handled in a confidential manner. Please refer these students to DSP&S.

## How do I know if a student has a verified disability?

Qualified students should provide you with a letter indicating the approved modifications. Please refer these students to DSP&S to obtain the letter or to get enrolled in the program if they are not.

## Why don't the letters provide information about the nature of the disability?

This arrangement is consistent with the confidentiality requirements of the law and with District policy.

## If I suspect that someone in my class may have a learning disability, should I approach this student?

It is always appropriate to want to assist a student having difficulty in a course. However, suggestions that a person may have a learning disability are not recommended. It might be helpful to discuss with the student the academic challenges you see and refer them to several resources on campus, including tutoring and the learning disability specialist in the DSP&S.

## How are the reasonable accommodations determined?

The DSP&S program conducts an assessment to verify the disability and devise the modification plan for each qualified student. Accommodations are determined on a case-by-case basis taking into account the limitations caused by the disability, learning needs of the students, the requirements of the learning task, the course standards and essential requirements, and the educational environment. Questions about the process involved in the determination of reasonable accommodations should be directed to DSP&S.

## In what areas are accommodations made? Accommodations can be in the areas of examinations, auxiliary aids and services, modifications for completion of degree requirements, and physical facilities.

Only academic deans, in consultation with faculty, have the right to waive, substitute, or adjust course or degree requirements.

## Am I required to provide the accommodations outlined on the letters?

Faculty and Staff are responsible for the implementation of **all accommodations** (including recommended test location) identified in the letter from DSP&S **unless it results in fundamental program alteration, undue burden or a threat to health and safety.** Please contact DSP&S if you have any questions or concerns about

or difficulties providing the requested accommodations or wish to provide an accommodation in a different manner than what is specified.

**Who is responsible for assuring that a mobility impaired student has equal access in the classroom and for other school related activities?**

Physical access in and out of the classroom is a shared responsibility that includes the student, DSP&S, faculty, staff, college administration, and facilities staff. Contact your dean if you have concerns in this area.

**DEFINITIONS**

**Accommodation** refers to a change in the status quo. A reasonable accommodation in the student setting is a modification or adjustment to a class or program that allows the person with a disability to participate as fully as possible in the programs and activities offered by the college.

**Auxiliary Aids and Services** refers to equipment or service providers that equalize communication or provide access to information. Examples are sign language interpreters, notetakers, readers, computer aided transcription devices, assistive listening devices, and Braille materials.

**Modifications for completion of degree requirements** refers to changes that do not eliminate or compromise academic requirements essential to the program of instruction or related to licensing requirements. Modifications for completion of degree requirements may include the following:

- changes in the length of time permitted for completion of degree requirements;
- substitution of specific courses required for completion of degree requirements;
- reduced semester course load; and/or
- adaptation of the manner in which specific courses are conducted

**Direct Threat to Health or Safety** means a significant risk to health or safety that cannot be eliminated by modification of policies, practices, or procedures, or by the provision of auxiliary aids or services. In determining whether an individual poses a direct threat to health or safety, the college must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or the best available objective evidence, to ascertain

- the nature, duration, and severity of the risk;
- the probability that the potential injury will actually occur; and
- whether reasonable modification of policies, practices, or procedures will mitigate the risk.

**Examination Modifications** may include the following:

- changes in the length of time permitted for completion of an exam; or
- adaptation of the manner in which the exam is given (for example, allowing a student to take the exam in a distraction-reduced testing room).

**Individual with a disability** is someone with a physical or mental impairment that substantially limits one or more major life activities. Physical or mental impairments include, for example, specific learning disabilities, emotional or mental illness, blindness and visual impairments, deafness and hearing impairments, mobility impairments, and some chronic illnesses.

**Major life activity** means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning. A person is considered to be an individual with a disability and protected by the law if he/she has the disability, has a record of having the disability, or is regarded as having the disability.

**Qualified student with a disability** means an individual who, with reasonable modifications or accommodations (if necessary) to rules, policies or practices, the removal of barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities.

**Undue Burden refers to when the** nature and cost of the action are too great when viewed in the context of the overall financial resources of the college