ADA: Faculty Responsibilities

Training Course

If you have a question, ask Catherine Wharton CWharton@Lynn.edu or 561 237 7105.

**The purpose of accommodations is: Creating access rather than ensuring success.**

**Key Takeaways for Faculty**

1. Implement ADA accommodations with fidelity
2. Call Catherine Wharton with questions or concerns
3. When a student references a disability or asks for accommodations and you do not have an accommodation notification form or the form does not have that specific accommodation, direct the student to the ADA Office (ideally in writing).

The following chart depicts the ADA process.

Figure ADA Process

The following serves as a primer for faculty responsibility in administering ADA accommodations. This primer contains the following sections:

1. ADA Law in Higher Education 3
2. Student/Parent Expectations (Misconceptions) about ADA in Higher Education 5
3. Implementing Accommodations with Fidelity 6
4. Potential Areas of Risk 9
5. Do’s & Don’ts 11
6. Accessible Content 12 A. Accommodating Students Through Canvas 12
	* 1. Text to speech accommodation 12
		2. Speech to text accommodation 12
	1. Universal Design for Learning (UDL) 14
7. Auxiliary Aids and Services 16
8. Unique Accommodations 17
9. Modified attendance 17
10. Adjusted assignment deadline 18
11. Temporary injury accommodations 18
12. Retroactive Accommodations 19
13. Service Animals/Emotional Support Animals 19
14. Pregnant/Parenting Students 21
15. Appendix

[List of Lynn University Accommodations](https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:2f72d961-13f4-4d73-a3fb-ca7b263f3476)

[ADA Accommodation Notification Form](file:///H%3A/PROPOSALS_PRESENTATIONS/AHEAD%2C%20AUSTIN.%20JUNE%202021/ADA%20Accommodation%20Notification%20Form.pdf)

[Testing Center Information](https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:89fc562e-75d0-4d56-9b06-1816a51bc013)

[ADA Clause for External Speakers](file:///H%3A/PROPOSALS_PRESENTATIONS/AHEAD%2C%20AUSTIN.%20JUNE%202021/ADA%20Clause.pdf)

ADA Event Guidelines 23

Accessible content 24

Service Animals/Emotional Support Animals 25

Resources 26

# ADA Law in Higher Education

## Overview of the Law

Section 504 of the Rehabilitation Act of 1973, is a law that prohibits discrimination on the basis of physical or mental disability. It states: “No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance . . .”

The Office for Civil Rights associated with the Department of Education has enforcement authority for these laws.

Most students receiving accommodations at universities do so as a result of the following three diagnoses:  Learning disability, ADHD, and/or psychiatric diagnosis.

Section 504 defines Learning disability as:  Substantially limiting the major life activity of learning because of the additional time or effort s/he must spend to read, write, or learn compared to most people in the general population.”

## ADA Eligibility

## In order to qualify for ADA/504 accommodations, students must present Accessibility Services with three elements from a qualifying professional:

* Diagnosis
* Functional limitation
	+ with objective evidence
* Need for accommodation(s)

Overview of the Procedure:  Next, the student must formally request accommodations from Accessibility Services.  Accessibility Services then reviews that documentation and balances the student’s functional limitation of disability with the fundamental nature of the academic task.  The fundamental nature of the academic task is informed by SLO’s and university policy. As an example of a case in which the fundamental nature of the task precludes accommodation a student, it would *not*be discriminatory to preclude a student with a profound visual impairment from participating in the flight training program.  The chart below pictorially represents this mandate.



Figure Balancing Scales

Accessibility Services is then responsible for engaging in an “interactive process” with the student in granting or denying reasonable accommodations.  Reasonable accommodations are defined as:  An action that may be taken by the University to accommodate an individual with a documented disability, without imposing an undue hardship on the University.

Once accommodations have been granted, students receive an electronic ADA Notification Form.  Students are responsible for providing this form to their professors.  Once the student has given the accommodation notification form to the professor, our policy mandates that ADA accommodations begin.  At this point, the responsibility for ADA accommodations shifts to the faculty to ensure that accommodations are implemented with fidelity. Students are responsible for articulating that the accommodation is not being met with fidelity.  Students do this by talking with their professor and/or involving Accessibility Services.

## Challenges

## Overall, most universities and colleges experience difficulty in two areas.  The first area is that the K-12 accommodation system and the higher education system are not similar.  In fact, they operate under different federal laws.  Unfortunately, most parents and students are unaware of this.  Educating prospective students falls within the scope of Accessibility Services.  The second area of difficulty is when accommodations are not implemented with fidelity.  In our experience, this is as a result of a communication issue containing one or all of the following matters:

* Poor accommodation wording on the ADA notification form
* Students misunderstanding of what the accommodation means
* Faculty misunderstanding of what the accommodation means

Accessibility Services welcomes questions - big or small - regarding implementing accommodations with fidelity.

# Student/Parent Expectations (Misconceptions) about ADA in Higher Education

It is important to note that the K-12 public school setting and higher education differ significantly in how students are accommodated. Many parents and students are unaware of these differences. The reason for this is because K-12 students are protected by the Individual with Disabilities in Education Act (IDEA) while students in higher education are covered by the Americans with Disabilities Act (ADA) or Section 504. The chart below delineates some major differences.

| **K-12****IDEA**Perspective is that Education is a Right and that schools should ensure academic success (Free and Appropriate Education or FAPE). | **Higher Education****ADA/504**Perspective is that ACCESS to education is provided but that education as a whole is not a right. |
| --- | --- |
| Schools have a responsibility to:* Identify students with disabilities
* Develop a plan (IEP) to promote success and demonstrate growth
* Provide services that are delineated in the plan.
 | Students must apply to the university, meet requirements, and then they can attend.Students must disclose their disability to the school through appropriate documentation and request accommodations.  |
| Core material and modification is required so that students are able to demonstrate growth.  | Accommodations/modifications are provided while maintaining the fundamental nature of the curriculum.  |
| All members of the school are expected to have knowledge of the students’ disability and to interact with and provide services according to the plan. | The student has the responsibility for disclosing their disability. The ADA Office does not provide information regarding students’ disabilities to other members of campus.  |
| **EXAMPLES** | **EXAMPLES** |
| Assignments may be modified (shorter or fewer) than for students without disabilities. | Assignments are the same for all students. |
| Assessment may be different than for students without disabilities. | Assessment is the same for all students. |
| Support services such as tutoring and academic coaching are provided. | Support services are not provided and are frequently fee-based.  |

The above information does contain exceptions. For example, if a student with a hearing disability is in a course with an essay prompt to discuss their favorite song, the assignment likely requires modification. Additionally, if a student who cannot speak uses assistive technology (text to voice) for a presentation, the student would not be evaluated on “voice rate, expressiveness/pitch, intensity/volume.” This requires faculty to be intuitive, engaged, and thoughtful during the ADA implementation process. While the responsibility of seeking an accommodation always remains with the student, faculty should contemplate how/if a specific academic task may represent an obstacle to the student otherwise demonstrating their mastery of the material. Accessibility Services welcomes these types of conversations and is helpful in generating potential solutions/alternatives.

For additional information on the substantive differences in K-12 and higher education, the OCR brochure, [Students with Disabilities Preparing for Postsecondary Education: Know Your Rights and Responsibilities (Links to an external site.)](https://www2.ed.gov/about/offices/list/ocr/transition.html) contains particularly useful information.

# Implementing Accommodations with Fidelity

# As discussed in the previous module, OCR has ruled that: *Faculty should be intuitive, engaged, and thoughtful during the ADA implementation process.* We realize that this can be an enormous responsibility and are here to support you. The following is a list of common challenges with solutions.

**Obligation:**  Once an accommodation has been granted by Accessibility Services and submitted by the student to the professor, the accommodation must be implemented with fidelity.

**Problem:** Sometimes Accessibility Services, the professor, and/or the student do not share a common understanding of the accommodation.

In our experience, faculty do not intentionally withhold accommodations from students, rather, it is most common that the reason why accommodations are not implemented with fidelity is because of a communication issue.  Most typically, the issue is that Accessibility Services, the professor, and/or the student do not share a common understanding of the accommodation.  This can occur for the following reasons:

* The accommodation notification form utilizes language that is unclear to the faculty member.
* The accommodation notification form utilizes language that the faculty member misreads or misunderstands
* The student believes that the accommodation means something that it does not mean.

It is vitally important that Accessibility Services and faculty members build a foundation of consensus regarding the accommodation.  We are addressing this a few different ways.  Accessibility Services uses common accommodation language. This means that all accommodations targeting the barrier is written exactly the same way. It is best for you to examine the list of accommodations to ensure you understand your obligation prior to actively implementing accommodations for a specific student. A full list of accommodations is attached [List of academic accommodations. 4.12.21.xls](https://lynn.instructure.com/courses/11033/files/2401513?wrap=1)[download](https://lynn.instructure.com/courses/11033/files/2401513/download?download_frd=1).This accommodation list was presented in faculty focus group workshops to generate common consensus and significant modifications were made based on that feedback. Additionally, we encourage all faculty to give us feedback on the accommodation language on an ongoing basis so that we can continue to build a cultural understanding and consensus of accommodations.  The issue of faculty members misreading or misunderstanding specific accommodations can be addressed by faculty members and Accessibility Services engaging in more frequent formal and informal interactions.  Accessibility Services holds workshops and formal training throughout the academic year or upon request.

Typically, the point at which we know we have a problem with this item is when an accommodation has not been delivered to the student and the student reports the issue. It is likely that the student first reports the issue to you, as their instructor.  Frequently, when students complain or ask for clarification about an accommodation, their communication is indirect.  After all, you are an authority figure, and they are treading carefully in correcting you.  It is important that you develop a skill set to “read between the lines” and quickly identify these types of student complaint or questions as a serious issue.

The moment a student references their accommodation, we ask that you start paying careful attention to the conversation.  Usually, these types of issues are easily resolved by the faculty member and student simply conversing and listening to each other.  Accessibility Services can support you at any point as you progress through these student conversations.  We strongly discourage you and the student generating your own idea or new accommodation together without the input of Accessibility Services.

**Solution 1:** Accessibility Services will work with faculty and students to build a foundation of consensus regarding the accommodation.

**Solution 2:** Faculty and students can have a brief conversation in person or via email regarding their understanding of accommodation implementation.

**Solution 3:**  Student and faculty complaints or confusion about the accommodation should include Accessibility Services to achieve consensus and resolution.

Potential Areas of Risk

**Obligation:** Educationally related activities:  Colleges and universities have an obligation to provide full and equal access to students with disabilities in all institutional programs and activities.

**Problem:**  In some instances, a student, the ADA Office, or a professor may overlook needs that a student will have in non-traditional academic settings.  Examples include a university sponsored trip, a class invitation to a personal home, hosting external speakers, or attending off campus speakers.  Examples of the problems could include:  Inability to access a bathroom, inability to access content (because of a visual or hearing impairment), or hosting external professionals that are not prepared with accessible content.

**Solution 1:**
The university has adopted language for external speakers.  We encourage you to use this language when arranging formal or informal speakers both within and outside of the university.

**ADA Clause:**
The Speaker agrees to work with University in order to meet the needs of any attendees indicating a requirement for special seating, lighting, auxiliary aids and services, and/or materials due to visual, auditory or other impairments in accordance with provisions outlined within the Americans With Disabilities Act.

**ADA Event Guidelines**
There should always be a decision maker present for events. Decision makers include:  Vice Presidents, Deans, and the ADA Office.

Students are entitled to access for educationally related events.

**Accessible venue**
Bathroom wheelchair accessible?
Venue service animal accessible?
Where will ASL translators be located?

**No’s**
Never ask the person with disability to sit in a different location so that it is easier for us to accommodate them.  People with disabilities are allowed to have volition and choose where to sit just like people without disabilities. Hence, a student with a hearing impairment may choose to sit in the back of the auditorium and locate their interpreters on the stage.

**Best Practice**
If you do not know what to do, ask the person with the disability. The most influential disability lobby groups are comprised of people with hearing and vision impairments. Typically, people with hearing and vision impairments are well versed in their rights and others’ duty to provide access.

**In a time crunch?**
Take the time to resolve the situation before the presentation begins. Even if the presentation runs late, that is way better to handle than not providing access.

**Listening and compassion**
Typically, being compassionate and listening to the issue before, during, or after an incident can significantly improve the outcome.

**Solution 2:**
The accommodation has been rewritten for additional clarity and direction.

**Accommodation:**  Student is entitled to record speakers for all educationally related events. Student will be using Bluetooth microphone and transcription services.

This typically refers to Lynn University hosted speakers and our suggested procedure is as follows:  **Student**:  Notify Dr. Wharton five (5) business days in advance of the event if you wish to attend.  **Faculty**:  Notify Dr. Wharton five (5) business days in advance if you are inviting students to an educationally related event – on or off campus.  Dr. Wharton must be notified regardless if this takes place during normal classroom time or outside of normal classroom time.  In your notification to Dr. Wharton, include date, time, and location.

## Do’s & Don’ts

1. It is imperative that you do not identify students with ADA accommodations. This private and confidential information and should never be shared with colleagues or in the classroom where other students can hear.
2. Do not ask specific students for their accommodation notification form.
3. Do not ask students about their underlying condition or diagnosis.
4. Do not confuse IAL students with ADA students.
IAL students include many segments of the Lynn University population.  Students with academic coaches or tutors may be simply seeking academic support services or be on academic probation.  Many students affiliated with IAL have not disclosed a disability or requested accommodations.
5. ADA students are community members who have disclosed a documented disability to Accessibility Services and are receiving an accommodation.
6. Do not assume that a student either has or does not have a disability.
If you have a concern that a student may not be able to perform an academic task due to a mental or physical condition or limitation, please contact Accessibility Services for next steps.
7. Once a student has requested accommodations from you but you have no accommodation notification form, you should follow up in writing directing the student to Accessibility Services.
8. Accessibility Services does not encourage faculty to accommodate students without the appropriate notification form and language for the specific accommodation

# Accessible Content

Given that the majority of students in higher education receive accommodations as a result of a learning disability and that the most common learning disability is a reading disability, it is extremely common for Lynn University students to require access to reading materials through the use of assistive technology (text to speech).

## Accommodating Students through Canvas

All faculty are strongly encouraged to post all content in Canvas. “All content” is defined as all materials for which students may have to demonstrate a competency. For example, if a student needs specific content in order to write a paper, give a presentation, or take a quiz/test, it should be posted.

### Text to speech accommodation

All posted content needs to be in accessible formats. This means it needs to have meaning for students who are visually/hearing impaired or who have a reading disability. Hence, it is inappropriate to post or use documents (hand-outs) in which students’ cannot use assistive technology (text to speech) to have it read aloud.

Examples of Documents & Accessibility

| **Hand-out, JPEG, or picture of document** | **Word documents** | **PDF’s** |
| --- | --- | --- |
| Not accessible | Somewhat accessible | Very accessible |

### Speech to text accommodation

Further, it is inappropriate to post or use media without closed captioning. You are responsible for only accommodating students in your course who have submitted the ADA Notification Form, however, it is a best practice to design all of your courses with accessibility in mind.

## Extended test time for Canvas quizzes/tests

It is imperative that you master how to grant extended time for Canvas quizzes and tests.  OCR recently found that a college failed to comply with implementing the ADA accommodation of extended time because a professor "didn't know how to individually give a student extended time."  In this case, the professor had allotted 30 minutes for a quiz; because she did not know how to give the ADA student 60 minutes, she gave all students 60 minutes. OCR ruled that didn’t meet the accommodation of granting 100% extended time for the ADA standard.

# Universal Design for Learning (UDL)

Universal design for learning is a framework to improve and optimize teaching and learning for all people based on scientific insights into how humans learn.  The following domains are represented:

* Affective networks or the *why* of learning. Engagement is necessary for purposeful, motivated learners, to stimulate interest and motivation for learning.
* Recognition networks or the *what* of learning. Representation assists in producing resourceful knowledgeable learners by presenting information and content in different ways.
* Strategic networks or the *how* of learning. Action and expression assists in creating strategic, goal-directed learners, by differentiating the ways that students can express what they know.

These guidelines offer a set of concrete suggestions that can be applied to any discipline or domain to ensure that all learners can access and participate in meaningful, challenging learning opportunities. UDL pedagogy is considered the best practice in ADA accessibility.

The above information was obtained through: <http://www.cast.org/>

# Auxiliary Aids and Services

The ADA mandates that institutions “furnish appropriate auxiliary aids and services where necessary to ensure effective communication with individuals with disabilities.” Instances in which we provide auxiliary aids are for students with reading, writing, hearing, or visual disabilities. Examples of this include the following:

* ASL interpreters
* Written materials
* Closed captioning of media
* Large print materials
* Audio textbooks
* Audio recording of class lectures
* Text to speech of course materials
* Speech to text for writing tasks

The Office for Civil Rights has specifically addressed the issue of students’ recording course lectures. Their language follows: “Most often, questions arise when a student uses a tape recorder. College teachers may believe recording lectures is an infringement upon their own or other students' academic freedom, or constitutes copyright violation. The instructor **may not forbid** a student's use of an aid if that prohibition limits the student's participation in the school program.” U.S. Department of Education's [*Auxiliary Aids and Services for Postsecondary Students with Disabilities (Links to an external site.)*](https://www2.ed.gov/about/offices/list/ocr/docs/auxaids.html) [(Links to an external site.)](https://www2.ed.gov/about/offices/list/ocr/docs/auxaids.html)

It is vitally important that we facilitate the fidelity of these accommodations.  For example, if a student is reporting a problem with a device in your class, you may want to pause teaching to allow them time to rectify the problem, assist the student in rectifying the problem or ask another student to assist.  Occasionally, external speakers may not understand the importance of devices.  They may request that students "put away all devices."  This can be avoided by effectively communicating Lynn University's accessibility expectations when scheduling the event.  Additional guidance and ADA-specific language can be found in the Module:  Potential Areas of Risk.

# Unique Accommodations

Two accommodations, modified attendance and adjusted assignment deadlines, are relatively new in higher education.  Lynn University and other institutions are still determining the best practice and best approach.  In conversations with outside counsel, we have revised our current accommodation language.  Additionally, the temporary injury accommodation, retroactive accommodations, service animals, emotional support animals, and pregnant students are addressed. Please review them to ensure you understand your obligation. Here is the list of all Lynn University accommodation language. [List of academic accommodations. 4.12.21.xlsx](https://lynn.instructure.com/courses/11033/files/2401513?wrap=1)[download](https://lynn.instructure.com/courses/11033/files/2401513/download?download_frd=1)

The preceding hyperlink reflects the exact language that is used on the ADA Accommodation Notification Form.

Modified Attendance
*Lynn University regards class attendance and participation an essential part of the educational process.  In extraordinary circumstances, students may qualify for modified attendance.  Students should use these absences infrequently and only when absolutely necessary.*

*In order to activate this accommodation, the student must email the professor and Dr. Wharton (**CWharton@Lynn.edu**) prior to missing class.  The student receives no penalty for the class absence but it is their responsibility to request all content missed when absent. Once the student has requested the missed work, the professor must provide the relevant content to the student.  The student must submitted all missed classwork within 3 days when availing oneself of the modified attendance accommodation.*

### Typical concerns and solutions

Typical professor concerns regard what to do about graded in-class activities.  Because our mandate is to provide access to students with disabilities, we cannot penalize students who are availing themselves of this accommodation.  This accommodation represents another reason why it is so critically important to post all content on Canvas. Please note that it is inappropriate to exclude students with disabilities from activities.  For example, the student emails you they are availing themselves of their modified attendance accommodation and you have an in-class speaker and have assigned a reflective writing exercise on the speaker's topic.  You should not excuse the student from the assignment because that can be construed as exclusionary or discriminatory.  Instead, you should formulate a similar assignment for the student; for example, you could have the student view a Ted Talk on a similar topic and assign a reflective writing exercise.  As a professor, this may seem to be asking you to do a lot of additional work,  but, please be assured that this is a very uncommon accommodation at the university.

The following, italicized wording reflects the exact language that is used on the ADA Accommodation Notification Form.  It concludes with potential concerns and solutions.

**Adjusted Assignment Deadlines – assignments may be submitted up to 3/5/7 days late with no penalty.**
*To activate this accommodation, the student must email the professor and Dr. Wharton (CWharton@Lynn.edu) prior to the deadline and reference this accommodation. This accommodation may not be used for presentations or group work.  This accommodation may not be used to submit work after the last day of the term.*

### Typical concerns and solutions

### There are generally two potential professor concerns with this accommodation--one is breaking up the flow of class for one student to do a presentation when you have already concluded the presentations and the other is a student submitting work after the course has concluded.  The ADA Office recommends scheduling a presentation make-up day(s) near the end of the semester so that you can more efficiently accommodate students without interrupting the flow of your course.  A recent OCR case involved the following scenario:  A student was told the prompt and that the due date for a writing assignment one month before the assignment was due.  The due date was the last day of class and the professor and institution argued that the student had a reasonable amount of time to complete the assignment.  OCR disagreed arguing that if a student needs extended deadlines during the course of the class, that need for accommodation does not end the last day of class.  In order to comply with this guidance, Lynn University's ADA Office strongly suggests that you make all course deadlines 7 days before the last day of the course.

Temporary Injury Accommodations
Lynn University follows the NCAA standards for athletes and non-athletes for all qualifying injuries.  Standard NCAA accommodations for temporary injury, which typically relates to concussion, often includes the following:

The following, italicized wording reflects the exact language that is used on the ADA Accommodation Notification Form.

* *Required absence from classes until permission is granted by the treating physician*
* *Extension on assignments that are due during the recovery period*
* *Ability to make up assignments, quizzes, exams that fall within the recovery period*
* *Ability to wear sunglasses in class*

When a student has a temporary injury accommodation, professors are typically directly notified by Accessibility Services.  Most frequently, the ADA Temporary Injury accommodation form has a start and end date.

Retroactive Accommodations
This refers to a student performing academic tasks and then stating that they have not performed well because they did not have accommodations.  This is the first time the student has made the request. In this case, accommodations are not retroactive.

However, when a student has an unexpected injury or situation that qualifies them for accommodations and it takes several days for them to obtain and submit documentation, then Accessibility Services has discretion with the start date of the accommodations.

Service Animals/Emotional Support Animals
The following discusses service animals and emotional support animals.  People with disabilities who have service animals are protected under the ADA/Section 504. Service animals are restricted to either a dog or miniature horse.  The dog/horse must be individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The tasks performed by the dog/horse are be directly related to the individual's disability.  Examples of these tasks are calming a person with PTSD or anxiety, alerting regarding low blood sugar (diabetes) or potential seizure, guiding a visually impaired person, or pulling a wheelchair.

People with disabilities who have an emotional support animal (ESA) are protected under the Fair Housing Act, which mandates that people with disabilities must be provided accommodations “to afford such person an equal opportunity to use and enjoy a dwelling.”  The species of emotional support animal is not restricted.  The animal provides emotional support, which alleviates one or more identified symptoms or effects of the student’s diagnosed disability. Emotional support animals are not specifically trained to perform tasks for a person who suffers from emotional disabilities. However, there must be an identifiable and medically indicated relationship between the individual’s disability and the assistance the animal provides.

Hence, service animals (specifically trained dogs and/or miniature horses) are allowed public access such as the library, academic buildings, classrooms, dining areas, labs, work areas, student centers, whereas emotional support animals are only allowed in the residence hall.  When a student arrives in class with a dog or miniature horse and it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person’s disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.  If the student indicates it is service animal, then the animal must remain in the classroom.  If the student acknowledges it is an emotional support animal, the student can be directed to place their animal back in their residence hall.

Service animals and emotional support animals must be under the direct physical control of the student at all times.  Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal’s work or the individual’s disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.  Once, the student has requested the accommodation, Accessibility Services reviews the documentation regarding their disability and the animal’s compliance with state and local regulations and either grants or denies the accommodation.

Professors are not expected to have unruly or disruptive animals in the classroom.  Once Accessibility Services has approved the animal to live on campus, the Office of Student Affairs handles student non-compliance with policies regarding the behavior and care of the animal.  Laura Matthews is the Director of Student Conduct and can be reached at LaMatthews@Lynn.edu or 561 237 7215.  A person with a disability cannot be asked to remove his/her service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal’s presence.  Lynn university faculty are discouraged from independently removing an animal from the classroom.  We ask that you involve Accessibility Services and or Office of Student Affairs.  Of course, if there is an immediate classroom threat, please use your discretion and then notify the relevant departments such as Campus Safety, Accessibility Services, and/or Office of Student Affairs.

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility. Staff are not required to provide care or food for a service animal.

Pregnant/Parenting Students
Title IX prohibits discrimination upon the basis of sex which includes pregnancy, parenting and any related conditions. Lynn University prohibits discrimination based upon pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery from any of these conditions. As such, students may be entitled to accommodations to assist them with their ability to fully enjoy the benefits of their education.  In specific situations, with appropriate documentation, qualified pregnant or parenting students will be afforded the same rights and accommodations afforded to students with temporary medical conditions.

If a student notifies you of absences or missed course work as a result of pregnancy, parenting, or related conditions, please direct the student to the Accessibility Services.

Appendix

**Appendix I: ADA EVENT GUIDELINES**

There should always be a decision maker present for events. Decision makers include: Vice Presidents, Deans, and the ADA Office.

Students are entitled to access for educationally related events.

**Accessible venue**

 Bathroom wheelchair accessible?

 Venue service animal accessible?

 Where will ASL translators be located?

**No’s**

Never ask the person with disability to sit in a different location so that it is easier for us to accommodate them. People with disabilities are allowed to have volition and choose where to sit just like people without disabilities. Hence, a student with a hearing impairment may choose to sit in the back of the auditorium and locate their interpreters on the stage.

**Best Practice**

If you do not know what to do, ask the person with the disability. The most influential disability lobby groups are comprised of people with hearing and vision impairments. Typically, people with hearing and vision impairments are well versed in their rights and others’ duty to provide access.

**In a time crunch?**

Take the time to resolve the situation before the presentation begins. Even if the presentation runs late, that is way better to handle than not providing access.

**Listening and compassion**

Typically, being compassionate and listening to the issue before, during, or after an incident can significantly improve the outcome.

**Appendix II: ACCESSIBLE CONTENT**

**Ask Vicki for best practices and exemplars**

Vicki Holcomb, VHolcomb@Lynn.edu or 561 237 7585, Instructional Designer

Universal Design for Learning (UDL)

UDL theory and practice was developed by Anne Meyer and David rose in 1990s.

UDL materials are readily accessible and easily understood and explained.

<http://udlguidelines.cast.org/>

The website includes a 3 minute video.

The following link describes each of the three domains of engagement in detail and hyperlinks to additional resources. <http://udlguidelines.cast.org/?utm_medium=web&utm_campaign=none&utm_source=cast-about-udl>

A book that posits a similar theory and practice that is more psychology and neurology based is *The Unified Learning Model: How Motivational, Cognitive, and Neurobiological Sciences Inform Best Teaching Practices* by Shell, Brooks, Trainin, Wilson, Kauffman, & Herr, 2010.

**Appendix III.** [**SERVICE ANIMALS / EMOTIONAL SUPPORT ANIMALS**](http://thestatehousefile.com/wp-content/uploads/2017/03/unspecified.jpeg)





**Appendix IV: RESOURCES**

Testing Center

Qualified students typically use extended time for examinations and an alternative testing environment. During the academic year, Lynn University’s testing center hours are:

Monday – Thursday, 8:00 am – 6:00 pm

Fridays, 8:00 am – 4:00 pm

Tests can be emailed to the testing center at TestingCenter@Lynn.edu. Inquires can be directed toward 561 237 7655. Dylan Kendrick is the Director of the Testing and Tutoring Center. Dylan can be reached at DKendrick@Lynn.edu or 561 237 7224.

Accessible Content

It is not uncommon for a student to disclose a disability after the semester has started. If your materials are already accessible, then you will not have any difficulty. Vicki Holcomb, VHolcomb@Lynn.edu or 561 237 7585, Instructional Designer is the expert on this.

Association on Higher Education and Disability <https://www.ahead.org/home>

Department of Education

[https://www2.ed.gov/about/offices/list/ocr/504faq.html](http://www.udlcenter.org/aboutudl/udlguidelines)

Emotional Support Animals, Service Animals, and Pets on Campus

<https://files.eric.ed.gov/fulltext/EJ1062480.pdf>

Lynn University’s ADA Policy

<https://www.lynn.edu/uploads/pdf/LynnUniversity_PolicyManual_VolumeII_CommunityPolicies.pdf>

National Association of Independent Schools <http://www.nais.org/Articles/Documents/ADA_Pub_2011Final.pdf>

Office for Civil Rights [https://www2.ed.gov/about/offices/list/ocr/docs/hq9805.html](http://www.udlcenter.org/aboutudl/udlguidelines)

OCR/tape recorders

<https://www2.ed.gov/about/offices/list/ocr/docs/auxaids.html>

Transitioning to college

<https://www2.ed.gov/about/offices/list/ocr/transition.html>

UDL

<http://www.udlcenter.org/aboutudl/udlguidelines>