Identifying Barriers to Access:

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Understanding Barriers Warranting Accommodations
Equal Access Means No Barriers

Disabled students experience equal access when they are able to:

- Fully engage and participate in the same activities;
- Utilize the same information shared with everyone;
- Have the same opportunity to achieve;
- Enjoy the same campus services, benefits and experiences as a person without a disability.
Therefore, a barrier is...

*Anything within the academic and/or campus environment* that interferes with a student's ability to:

- Fully engage and participate in the same activities;
- Utilize the same information shared with everyone;
- Have the same opportunity to achieve;
- Enjoy the same campus services, benefits and experiences as a person without a disability.

**DUE TO:**

- The interaction of the student’s disability with the activity or environment.
Common College Environment Barriers

- Poor physical space and design
- Inaccessible electronic and digital information
- Time
- Space distractions
- Reading and writing demands
- Policies
- Communication, Engagement and Interaction
  - Captioning
  - Class presentations
  - Small groups
  - Expectations of meeting with professors and staff
- Attitudes and lack of awareness
- Disability office practices
- What else??
Are we responsible for removing ALL barriers?

• Our goal is to remove the “unnecessary” barriers
  • Some barriers arise in relation to essential course or program requirements
    • University academic standards
    • Degree requirements
    • Course requirements
    • Learning objectives
    • Technical standards for certain programs
    • The need for grades and evaluative measures
    • Decisions on how to evaluate students in the classroom
    • Deadlines
If we can define a situation as a legitimate academic or campus environmental barrier, then we are likely responsible for removing it (with accommodations).
A Student’s Individual Challenges Are Not Automatically Accommodated

• If implementing an accommodation allows the student to do less relative to university, program and/or course standards and expectations placed on all students, then it may be not reasonable.

• If the root of the problem is more about internal barriers and effective personal management within the student, the accommodation may not be reasonable.
Possibly Beyond Academic Barriers If...

• The student could do something different to alleviate the identified “concern”

• The request is more of a want (to increase comfort or ease) than a need to remove an academic barrier

• The request, if facilitated, would solely increase the student’s ability to be successful, more than or possibly without, advancing equal access

• A possible accommodation would not remove an academic barrier and would simply extend the impact of a personal challenge
What is our role and what are our responsibilities?

• Identify if a barrier exists at the intersection of the environment and a student’s disability.
• Accurately identify what that barrier is.
• Understand if the barrier is or is not related to an essential requirement or standard.
• Identify a means for removing the barrier which is effective for the student.
• In the case of a barrier related to an essential requirement or standard, identify if there is a possible means to remove it which does not fundamentally alter the essential requirement or lower essential standards.
The Goal of Removing Barriers...

• Equitable access
• NOT fundamentally altering the academic experience
• NOT reducing academic expectations
• NOT facilitating a specific accommodation
  • If one accommodation on the table is not reasonable or feasible, are other solutions possible?
Does a Barrier Exist and What is it?
Critical Questions:

• Is the issue the result of how the student’s disability and the design of the environment or activity intersect, or is the student truly not able to meet the requirement?

• Do many or most students have the same experience when trying to meet the requirement?

• Does the nature or design of the requirement inhibit the student’s meaningful access or equal opportunity to gain the same benefit as their nondisabled peers because of how it intersects with the student’s disability?
Let’s consider some examples

• Extra time for exams
• Extra time for assignments
• Course note-taker
• Flexible attendance
• Remote participation / virtual attendance
• Alternative to presentations
• Single room housing accommodation
What we need to determine...

• When are these experiences influenced by a barrier due to the academic design plus the disability?
• When are these experiences influenced by a barrier due to a student’s personal circumstances (regardless of the academic design)?
What concepts can we use when we are feeling unsure?

Condition and Manner

• “...the condition or manner under which a major life activity can be performed may refer to the way an individual performs a major life activity.”

• “Condition or manner may also describe how performance of a major life activity affects the individual with an impairment.”

• “…condition or manner may refer to the extent to which a major life activity... can be performed.”
What concepts can we use when we are feeling unsure? (2)

Duration

• “The length of time an individual can perform a major life activity or the length of time it takes an individual to perform a major life activity...”
Putting the Three Together

“Condition, manner, or duration may also suggest the amount of time or effort an individual has to expend when performing a major life activity because of the effects of an impairment, even if the individual is able to achieve the same or similar result as someone without the impairment.”
Using Questions to Gather Information

• Ask about the student’s specific academic experiences
  • Taking tests, reading, taking notes, time management, etc.
• Inquire about student history and look for patterns in experiences
• Why is the student coming to you now?
• What is making a specific experience different from the past?
• What does the student feel will happen without an accommodation?
• What strategies have the student attempted to address the concern? (If applicable)
• How is the student’s experience perhaps “more involved” (CMD) than someone without a disability?
Based on Information Gathered...

Is this about meeting a standard by doing it in a different way?

or

Is this about not meeting the standard at all?
Based on Information Gathered... (2)

• Identify academic barriers intersecting with disability?
  • Explore reasonable accommodations

• Identify student challenges without legitimate academic barriers?
  • Refer students to appropriate campus resources
  • Question if accommodation will enhance success but not genuine access
Ways to Support Students with Personal Challenges

• Academic coaches
• Tutoring and writing support
• Academic advisors
  • Taking fewer classes per semester?
  • Different balance of classes?
  • Right major?
• Counseling
• Career services
• School / Job / Life Balance
Is the Standard or Requirement that is Creating the Barrier “Essential”?
Let’s consider some examples

• Student in a nursing program with substantially limited fine motor control.
  • Starting an I.V. which requires inserting a needle in a patient’s vein.

• Student in a music education program who only has use of one hand.
  • Requirement to learn how to
    • Play keyboard
    • Play woodwind instruments
    • Play percussion instruments
    • Play stringed instruments
What is An Academic Standard?

• Experiences fundamental to teaching, learning and demonstrating knowledge within the course

• Maintenance of a specific G.P.A.

• Completion of core courses
  • Math-quantitative analysis
  • Writing- basic and advanced
  • Foreign Language
What is An Essential Academic Standard?

• Directly aligns with the course learning objectives
• When the established experience sets the baseline for student expectations for the course (such as multiple-choice exam or presentation)
• Directly align with program/degree objectives
• Clear connection to the vocation for which degree trains students
• Direct link to licensure or certification
Who Decides?

• Disability Resource provider?
• Professor?
• Department Chair?
• Provost administrators?
• Fundamental alteration review committee?
Who Decides? Guidance from OCR...

In reviewing an institution’s determination that a specific standard or requirement is an essential program requirement that cannot be modified, OCR considers whether that requirement is educationally justifiable. The requirement should be essential to the educational purpose or objective of a program or class. OCR policy requires, among other factors, that decisions regarding essential requirements be made by a group of people who are trained, knowledgeable and experienced in the area; through a careful, thoughtful and rational review of the academic program and its requirements; and that the decision-makers consider a series of alternatives for the essential requirements, as well as whether the essential requirement in question can be modified for a specific student with a disability. OCR affords considerable deference to academic decisions made by post-secondary institutions, including what is or is not an essential program requirement.

Letter to The University of North Carolina at Greensboro (Complaint 11-17-2001)
Practical Application of Barriers and Accommodations
Extra Time for Exams

Academic Barriers Plus Disability that May Warrant More Time

• Allotted time not connected to learning objectives
• Takes longer to read or write
• Processing speed
• Short-term memory
• Use of technology takes more time
• Scribe or reader necessary

Student Challenges that Don’t Align with Purpose of Accommodations

• Difficult course content
• Professor paces at one question per minute
• A feeling of test anxiety with no additional experiences of anxiety
• Need more time to double-check work at end of test
Extra Time for Assignments (Non-Medical Reasons)

**Academic Barriers Plus Disability that May Warrant More Time**

- Very short turn-around
- Short windows with potential technology challenges for a BLV student
- Disability related time available to student for academic work
  - Personal Care needs
  - Length of time to complete ADLs

**Student Challenges that Don’t Align with Purpose of Accommodations**

- Procrastination
- Poor time management
- Slower assignment completer
- Too many classes
- Full-time job and other life responsibilities
Course Note-Taker

**Academic Barriers Plus Disability that May Warrant a Note-Taker**

• Genuine difficulty with listening, processing and writing at the same time
• Cannot take notes while watching interpreter
• Physical disability that cannot be adequately addressed with technology

**Student Challenges that Don’t Align with Purpose of Accommodations**

• Never learned how to take notes
• Fear of missing the important stuff
• Cannot capture it all
• Too time consuming to record and listen to content later
• Have to watch videos repeatedly to get all of the notes
Single Room Housing Accommodation

**Academic Barriers Plus Disability that May Warrant a Single Room**

- Need space for wheelchair access or equipment access
- Potentially a student on the autism spectrum where a roommate would pose challenges for everyone
- Potentially a severe food allergy

**Student Challenges that Don’t Align with Purpose of Accommodations**

- Anxious about living with someone
- Fear of a poor living experience exacerbating a disability (not enough sleep, noise, etc.)
- Need quiet place to study
Alternative to Presentations

**Academic Barriers Plus Disability that May Warrant Presentation Modification**

- Presentations not specifically tied to learning objectives
- Potentially a student on the autism spectrum
- Potentially a student with significant general anxiety
- Potentially a student with a speech disability

**Student Challenges that Don’t Align with Purpose of Accommodations**

- Presentation anxiety with no history of other anxiety
- Presentation anxiety due to limited presentation experience or poor past experiences
- Fear of being evaluated or judged by other students
Remote Participation / Virtual Attendance

Academic Barriers Plus Disability that May Warrant Remote Participation

- Class building has allergens that impact the student

Student Challenges that Don’t Align with Purpose of Accommodations

- Student cannot personally make it to campus due to immune-compromised condition, post-surgery recovery, car accident injuries, etc.
- Student has challenges with effective transportation to campus
Modified / Flexible Attendance

Academic Barriers Plus Disability that May Warrant Flexible Attendance

• Arbitrary attendance policies
• No make-up exam and assignment policies
• Chronic health condition that exacerbates at different times and legitimately keeps student from attending class or doing work
• Possibly a mental health condition with exacerbation tendencies

Student Challenges that Don’t Align with Purpose of Accommodations

• Student with an “ever-present” mental health condition who does not have the motivation to go to class or to get work done
• Student who may miss one or more weeks of class sequentially or overall
• Student who may miss a class or a test on rare occasion