

# Grounded Practice: Guiding Principles for Making Decisions Regarding Access and Accommodations

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## Conference Civility Statement

We ask you to join us in creating a culture that reflects **access and inclusion** and **civility and respect** this week and in all aspects of our organization.

## Introduction

- Provide training and technical assistance at Arkansas' University Center on Excellence in Developmental Disability (UCEDD)
- Principal Investigator for multiple grant-funded projects
- Southwest ADA Center, Arkansas Affiliate
- **Focus areas:** digital access, civil rights, disability justice, access in higher education, universal design, leadership.

## A Little Background

- Guidance and Case Law and Settlements, Oh My!
- [Cyndi Rowland's article](#)
- Refocus 2.0: [exploreaccess.org/refocus2](https://exploreaccess.org/refocus2)

## Initial Process

When determining accommodations, there are some key factors that should be considered:

- Is the person requesting the accommodation disabled? Do they have a diagnosis or condition that may rise to the level of disability?
- Does a barrier exist?
- Can the barrier be removed proactively by changing the design of the course, assignment, exam, etc.?
- Does the requested accommodation effectively remove the barrier without altering the fundamental nature of the course or assignment?
- If the requested accommodation would result in reducing rigor or altering essential components, are there alternative accommodations that will provide access?

## Seamless Access

1. To the extent possible, access should be seamless.
  - Focusing solely on accommodation provision and not working proactively to improve access maintains the status quo.
  - As a result, disabled students are required to go through additional steps to obtain access.
  - An important goal for our offices is for disabled students to have an experience that is as similar to that of nondisabled students as possible.

## Effective, Timely, Integrated

2. Access should be effective, timely and integrated.
  - Access should be provided in a timely manner.
  - Access should be provided in the most integrated way possible.
  - Accommodations should effectively remove the barriers that disabled students experience.
  - Students should be told that they can and how to let the DRP know if an accommodation is not effective.

## Effective Communication

3. Communication with disabled people should be equally effective to communication with nondisabled people.
  - Services or technology should be provided to provide communication access when needed to achieve equally effective communication.
  - The student's preferred communication should be given primary consideration.

## Access, Not Success

4. Accommodations provide opportunity for access, not a guarantee of success.
  - Disabled students should have the same opportunities as nondisabled students—not more opportunity.

## No Unnecessary Burden on Students

5. Disabled students should not be overburdened by the accommodation process.
  - Information about campus accessibility and the process of requesting accommodations should be easy to find.
  - The process for requesting and implementing accommodations should require as few steps and be as straightforward as possible.
  - Examples of unnecessary burdens:
    - Requiring students to have a certain number of meetings with the disability resource office just because it is policy
    - Requiring students to meet with professors when that is not necessary for the implementation of an accommodation

- Requiring third-party documentation even when the disability and barrier are apparent

## **Access to All Benefits**

6. Access for disabled students extends to all of the benefits that students in general enjoy—both academic and co-curricular.
  - This includes, among other things, social events, internships, and athletic activities.

## **No Requirement for Student to Negotiate**

7. Access should not hinge on a student's ability to negotiate with a professor or other personnel.
  - A student should not have to ask an instructor for permission to use an accommodation.
  - If the accommodation has been approved and the student opts to use it, it should be implemented.
  - Even those students not skilled in self-advocacy deserve equal access.
  - If the professor has concerns that an accommodation is not necessary due to the design of the course or that it would result in a fundamental alteration, they should discuss this with the DRP.

## **No Blanket Bans, Open Communication Process**

8. Accommodation requests should never be dismissed without a process that involves thoughtful consideration and an opportunity for the student to provide more information.
  - Provision of accommodations and access is not a formulaic process, but requires individual consideration.
  - Students should not automatically receive certain accommodations and be denied others based solely on their condition.
  - The DRP or institutions should not determine proactively that a specific accommodation is never provided.
  - Each request must be individually analyzed in context if considering denial to determine whether it would:
    - Fundamentally alter the class, requirement(s), or program
    - Give the student an unfair advantage (exceeding equal access)
    - Result in undue financial or administrative burden

## **Student Choice**

9. Where possible, the student's choice of accommodation should be provided.
  - If the chosen accommodation presents an undue burden or fundamental alteration, other accommodations should be considered that are effective at removing the barrier.

## **No Denials Based on “Real World” Arguments**

10. Accommodation determinations should be made based on the present situation, not an imagined future scenario.

- Accommodations should not be denied because it is assumed a student will not be able to meet future requirements.
- Accommodations should not be denied because it is assumed that that accommodation will not be available in the workplace.

## **No Charging Students for Accommodations**

11. The cost of accommodations should never be passed along to a student.

## **Clear Grievance Process**

12. A clear process that informs what to do if the student disagrees with a decision should be outlined and easy for students to find.

- Students should have access to information about the internal process as well as external resources for grieving a decision.

## **Shared Responsibility**

13. Access is a shared responsibility.

- The college or university as a whole is responsible for access, not specifically the Disability Resource Office.
- Disabled students should be able to access all services on campus from the unit providing those services and should not be segregated and routed to the Disability Resource office for those services.

## Scenario #1

Sarah comes to see you because she is taking a music class during the 5-week summer session. There are weekly online quizzes. The access coordinator told her that she would need to ask each professor about her extended time accommodation in their class and make sure it was okay.

Dr. Moon has told her that extended time accommodations will not be granted and that summer school moves quickly. He told her that if she needs more time, she should take the course during the fall or spring semester. She shows you the syllabus and it says the same thing: no extended time will be granted to students with disabilities during the summer.

You call Dr. Moon to follow-up. He's extremely supportive of accommodations at other times of the year but explains that the quizzes are open book and intended to see if students are keeping up with the material. He expresses concern that with too much time students will be able to look up the answers. He says it will give them an unfair advantage and will not measure whether the student is keeping up with the material.

## Scenario #2

Alexis is a Deaf student who uses American Sign Language (ASL). Alexis is actively involved in the university's debate club and has requested an ASL interpreter to facilitate participation in weekly meetings, practices, and competitions.

The university provides ASL interpreters for academic classes and related activities but does not currently have a policy addressing extracurricular activities. The debate club is not directly tied to any academic course but is an official student organization recognized by the university.

The debate club advisor has expressed concerns about the logistics and cost of providing an interpreter for all club activities, particularly for off-campus competitions that may last several hours. They also worry about setting a precedent for other clubs with members who might request similar accommodations.

They ask if there is an ASL interpreting student who could assist and use it as part of their practicum hours. They ask Alexis if they know of a friend who could assist or if they might apply for some type of grant to help cover the costs.

**For information about this handout or to provide feedback, please contact:**

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