

# Unpacking "Barriers to Access" When Determining Appropriate Accommodations

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# A Recent AHEAD Community Posting...

A student with autism and an additional medical condition has requested an accommodation for classes to begin after 9:00 a.m., or to take courses online. The student's advisor has indicated that some required courses are only offered at 8:00 a.m., limiting scheduling flexibility. Supporting documentation from the student's provider includes this request. Would this be considered a reasonable accommodation?

# A Response to the Posting...

What is the barrier that keeps the student from attending 9:00am classes?

**But what do we really mean  
(or should we mean)  
when we reference “barriers”  
in that context?**

# **A Quick Foundational Overview**

# Reminder of our Core Purpose as Stated in 504

No otherwise qualified individual with a disability in the United States, as defined in section 705 (20) of this title, shall, solely by reason of his or her 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

# Said Differently...

Disabled people experience nondiscrimination and equal access when they are able to:

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

*Adapted from Section 504, 104.4 Discrimination Prohibited*

# Equal is a Relative Term

“Equal access” is defined as a relative term.

Equal access to what?

An opportunity equal to what others have access to in the given situation.

But remember-

Equal access does not always mean identical access

# Reasonable Accommodations Require Identification of...

Clear and compelling functional limitations due to disability

+

An institutional barrier

**that intersect to prevent...**

- Full engagement and participation in the activity
- Utilization of the same information
- Having the same opportunity to achieve

# Functional Limitations

Due to the physical or mental impairment, the individual may experience functional limitations. These limitations are a restriction or inability to perform an activity, due to disability, ***in the same manner or within the same range*** as might be expected on average

For Disability Office Purposes: Difficulties the student experiences in relation to participation in the academic program or campus experience BECAUSE of their disability, **most often combined with how the program is designed.**

# Major Life Activities that May Be Substantially Limited

- Caring for oneself
- Performing manual tasks
- Breathing
- Seeing
- Hearing
- Eating
- Sleeping
- Walking
- Standing
- Sitting
- Reaching
- Lifting
- Bending
- **Speaking**
- **Writing**
- **Learning**
- **Reading**
- **Concentrating**
- **Thinking**
- **Communicating**
- **Interacting with others**
- **Working**

# Functional Limitation Examples

- **Blind Student**

- Disability: Cannot See
- Functional Limitation: Cannot read standard print in a textbook or on a screen; unable to observe what others can observe through vision

- **ADHD**

- Disability: Difficulty maintaining attention, focus, and concentration on a task
- Functional Limitation: Cannot maintain attention, focus, and concentration for as long as other students

# Functional Limitation Is Not An Institutional Barrier

- You can have a functional limitation but not necessarily have a barrier that warrants an accommodation
  - **Example:** An LD student who is approved for extra time for exams as an accommodation due to slow reading and comprehension speed is in class with no exams and with assignments due every 3 weeks.
  - **Example:** A Blind student is enrolled in an online course in which all tasks, activities, and assignments are fully accessible via the student's screen reader

# **Institutional Barriers are Also Not Disability Symptoms (Disability Symptoms are also not functional limitations)**

- Chronic pain
- Fatigue; limited stamina; extensive need to rest
- Light sensitivity
- Ringing in the ears
- Forgetfulness; Memory challenges
- Difficulty following instructions
- Trouble with organization
- Difficulty with time management
- Slower reading speeds
- Limited spelling abilities
- Persistent sadness
- Anxiety
- Panic attacks
- Inability to manage stress
- Mood swings
- Reduced motivation
- Sensory sensitivity
- Easily distracted
- Easily overloaded cognitively
- Brain fog
- Flare-ups

**So What Are Institutional Barriers?**

# Institutional barriers are anything within the design of the campus environment that...

- Disproportionately disadvantage and impede the efforts of disabled students to have the same opportunities and experiences as non-disabled students
- “Things” created and established by the institution (and intensified by the functional limitations) that prevent:
  - Full engagement and participation in the activity
  - Utilization of the same information
  - Having the same opportunity to achieve

# Common Institutional Environmental Barriers (1)

- Poor physical space and design
- Inaccessible electronic and digital information
- Time (Constraints)
- Environment distractions
- Reading and writing requirements
- The design of Policies, Procedures, Programs, and Services
- Communication, Engagement and Interaction
  - Lecture and live discussions
  - Class presentations
  - Small groups
  - Meetings with professors and staff
- Other pedagogy designs
- Attitudes and lack of awareness
- Disability office practices
- What else??

**When we determine an accommodation is reasonable, we must be able to pinpoint...**

**What institutional barrier is being addressed/removed?**

**What institutional barrier is creating a disproportionate disadvantage/impact?**

**What are potential institutional barriers for these common accommodation requests?**

# Caveats with this Exercise...

- We are exploring the general institutional barriers that may be in play
- When determining reasonable accommodations, the institutional barrier is problematic at the intersection of the functional limitation(s) of the disability
  - Thus, case-by-case 😊
- Institutional barriers vary by institution

# **We identify institutional barriers by...**

- Projecting what barriers may be encountered in the general academic (or other experience)
- Analyzing barriers on a case-by-case basis (such as flexible attendance or alternative to presentations)

# The accommodations we will discuss...

- Extra time for exams
- Private room for exams
- Extra time for assignments
- Flexible attendance
- Private bedroom
- Note/Formula Sheet for exams

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**Extra Time for Exams**

# Institutional Barriers Being Addressed

- **Time constraint**
  - When time is not an essential component of the knowledge assessment)
  - Disabled students may not have the same opportunity to demonstrate knowledge
- **Physical or digital access**
  - Enlarged print
  - Screen-reading capabilities
  - Scantron assistance
  - Scribe

# **Private Room for Exams (Beyond Distraction-Reduced)**

# Institutional Barriers Being Addressed

- **The need for solitude to use other accommodations**
  - Scribe
  - Potentially a reader
  - PCA support or other medical needs
  - To manage tics
- When there is compelling evidence that indicates environmental activity caused by other students **significantly and substantially exacerbates** a student's functional limitations (such as concentration and thinking)
- When something about the specific design of the designated physical testing environment **significantly and substantially exacerbates** a functional limitation (such as concentration and thinking)

**Extra Time for Out-of-Class  
Assignments  
(For Executive Functioning Reasons Only)**

# Institutional Barriers Being Addressed

- **Time constraint – This will be very, exceptionally, extremely RARE**
  - When the professor's determined time limit prevents the student from having an equal opportunity to demonstrate knowledge
    - For example: When a one-week window (168 hours) interacts with functional limitations in ways that hinder completion
  - Time is rarely an institutional barrier requiring this accommodation
  - **May apply** for short-turnaround assignments (1–3 days) when disability significantly increases time needed to complete work
    - Requires case-by-case analysis; not blanket, pre-determined approval

# **Flexible Attendance for Medical Reasons (Attendance Only)**

# Institutional Barriers Being Addressed

- **The general concept of the course attendance policy that is designed by the professor or program**
  - When attendance policies are not tied to learning objectives (e.g., technical standards, labs, role plays, and flipped learning experiences)
  - When strict but arbitrary limits unfairly penalize disability-related absences and prevent the same opportunity to meet course requirements
    - Is the disabled student being disproportionately disadvantaged in some way due to absences?

# Caveats to the Flexible Attendance Accommodation

- In-person attendance is a standard expectation for all students
  - Attendance itself is not a barrier when it is a core course requirement
- The standard attendance policy for all students may address the functional limitation (such as 3 unexcused absences for all students)
  - Thus, a review system that allows for course-by-course analysis is essential
  - Rarely is more than 1 – 2 absences beyond standard allowances necessary to support the genuine functional limitations
- Repeated absences (e.g., 7–10+) should still carry academic consequences if there is a baseline expectation for all students

# **Private Bedroom**

**(When the majority of students on campus or within a certain category have a roommate)**

**How is the presence of a roommate an institutional barrier?**

# Institutional Barriers Being Addressed

- When physical accessibility would be compromised with a roommate
- When personal care and essential life activities (e.g., hygiene, sleeping, self-care, etc.) cannot be completed with a roommate present without compromising privacy or dignity
  - To expect two roommates “to work it out” would be an unreasonable ask and beyond what a typical roommate encounter would be expected to manage or concessions individuals would be asked to make
  - Examples:
    - Using a personal care attendant
    - Unique medical conditions that require time, space, and/or controlled cleanliness
    - When the impact of not managing the condition well would have major consequences for the student

# Institutional Barriers Being Addressed (2)

- When the student's condition would significantly burden a roommate beyond typical roommate differences
  - Examples: A student with Tourette's and tics; significant OCD
- When the presence of the roommate impacts a student's ability to experience the same general opportunities as all other students and/or impacts their ability to participate in campus activities
  - Case-by-Case

# Private Bedroom Barrier Considerations

- The nature of the institutional barriers will vary greatly by institution
  - Housing design
  - Expectations within the housing environment
  - Campus policies regarding housing
- To understand the barriers in play, you need to understand what most students in your housing environment(s) DO and DO NOT have access to and opportunity to experience within the living environment with a roommate
  - Consider experiences like loss of privacy, loss of a controlled environment (cleanliness, morning and evening routines, study environments, etc.), in-unit and in-building amenities, etc.
  - What do all students encounter (or not)?
    - To what extent is a disabled student disproportionately disadvantaged by this “norm”?

# Therapeutic Support Is Not an Institutional Barrier

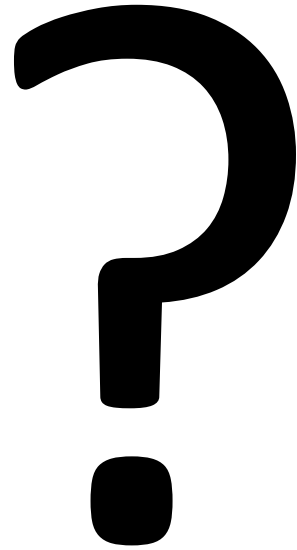
- Approving a private bedroom to help a student manage conditions like anxiety or depression is providing therapeutic support, not removing a barrier created by the institution.
- For these private room requests that are really embedded as part of therapeutic support...
  - You need to understand what all students do and do not have access to in the living environment
  - Is there an aspect of the request that would fall under the barrier conditions shared previously?

**Note Sheet**

**Formula Sheet**

**Any note tool not available to others**

# Institutional Barriers Being Addressed



# Thoughts on Note/Formula Sheet Accommodation

- The institutional barrier is not “short-term memory challenges”
- Studying, memorizing, and being able to recall and apply information is a standard college experience
- We can debate the merits of some of these pedagogical choices, but if the professor sets a “no notes or formula sheet” baseline for all students, that is what we must consider when we explore equal access and opportunity
  - No student has access to side information during an exam

Take-Aways

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**When we determine an accommodation is reasonable, we must be able to pinpoint...**

**What institutional barrier is being addressed/removed?**

# Identify Institutional Barriers When Navigating the Process

- Build into your decision-making process the identification of the institutional barrier before determining reasonableness
  - There is no discrimination by the institution if there is no institutional barrier that hinders:
    - Full engagement and participation in the activity
    - Utilization of the same information
    - Having the same opportunity to achieve
- If no institutional barrier disproportionately affects the student's functional limitations, the accommodation may not be reasonable

# Session Evaluation

[tiny.cc/8zu1101](https://tiny.cc/8zu1101)

Thank you for attending!

Your feedback helps shape future programming.

