

Disability Compliance

for Higher Education

Successful Strategies for Accommodating Students and Staff with Disabilities

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A BRIEF CONVERSATION WITH ...

Catherine E. Johnson, J.D., M.A., director of the ADA Resource Center for Equity and Accessibility at the University of Kansas, led improvements to the Hawk Route, an accessible route across campus. **Page 2**

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A survey shows many students are unaware of captions. **Page 9**

LEGAL ROUNDUP

Review agency rulings and court cases related to disability. **Pages 10–15**



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STUDENT CONDUCT

Accommodating disabilities when enforcing the student code of conduct

By Stephanie Russo Bohler

Most universities have a code of conduct that students are expected to follow and a disciplinary process for when they do not. Students who fail to comply with campus rules will often face a student conduct board, during which they have an opportunity to share their account of the reported incident and then a panel determines what an appropriate sanction is. What happens when a person with a disability violates institutional policy? Should the student conduct board adhere to the same standards and sanctions? The answer is yes; however, the process may vary if accommodations are needed.

Students who receive disability accommodations are otherwise qualified for participation at their university. This means that, with appropriate accommodations, they are able to satisfy curriculum requirements and

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COALITION CORNER

Big solutions for small groups in health science programs

By Linda Sullivan, M.A.; and Lisa M. Meeks, Ph.D.

Small group learning and instructional design play a significant role in the educational process for health education students. Small groups in health science curricula provide learners with opportunities to engage as a team, learn through observation and collaboration, hone communication skills, develop higher-order thinking, synthesize information, and develop group consensus. Team-based care (the standard in many health fields) necessitates that learners acquire these essential skills prior to entering the clinic. In health science education, faculty members present the “case” and facilitate small groups. The groups then engage in deductive reasoning to arrive at a diagnosis, and in some cases a treatment plan.

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university policy. They are expected to uphold community standards, and a violation can result in going through the established disciplinary process. As with the classroom, these hearings must be fully accessible to students. The best way to do this is to ensure universal accessibility from the start. Some examples include:

➤ **Scheduling regular breaks.**

This is important, for example, so that students with diabetes can manage sugars, students with digestive-based diagnoses can access the restroom, and students with learning disabilities can have a moment for processing.

➤ **Considering the physical space where the hearing is scheduled.** Space furniture so that the room can be accessed with assistive mobility equipment, have assistive technology available for students who need an electronic format of documents, caption videos used, and be mindful of lighting or sounds that may be disruptive to a student with autism spectrum disorder.

➤ **Allowing students to have a support person with them throughout the hearing.** This can be helpful for a student with anxiety who will find comfort in a familiar face or someone with a learning disability who may want to clarify understanding of a question before answering.

Each institution should establish a procedure in which students work with disability services and judicial affairs to request and implement appropriate accommodations. Students must also disclose any disability-related needs regarding sanctions. This is crucial for them to be able to take responsibility for their actions and fully access an important learning experience. For example, some schools may mandate they participate in a community service project that requires physical activity. This can cause undue hardship for someone with a disability that impacts mobility.

The conduct board and judicial affairs should work with disability services to determine an equal, alternative outcome that will not exacerbate medical symptoms but offers the same lesson of volunteering time to help others. Another example is requiring a student who violated substance use policy to present on alcohol awareness. Public speaking may cause undue hardship for a student with anxiety. Instead, the board should implement

an alternative sanction that requires the student to reflect on substance use and educate others without being in front of a crowd.

When considering a student's violation of the conduct code, it may serve both the student and the conduct board to consider why the behavior occurred. For example, a student with ASD may fail to evacuate a building when the fire alarm goes off and instead crawl in bed under the covers to block out painful noise and lights. The student has violated university policy

around emergency procedure; however, he did it as a direct result of symptoms of his disability.

There should still be consequences to his action, but determining these consequences provides an educational opportunity for the conduct board and the student. The sanction should focus on safety to teach the student why emergency policy is important. Perhaps the student will be required to meet with residence life to review policy and develop a plan for emergencies. In this scenario, the conduct process offers an opportunity for student growth and self-advocacy as well as an opportunity to foster institutional neurodiversity awareness.

The main point to take away is that students with disabilities are just as responsible for their actions as every other student. They must understand the important lesson that actions have consequences. The institution's responsibility is not to protect students with disabilities from disciplinary proceedings, as this process is an educational opportunity for all students. Therefore, institutional responsibility lies in providing equal access for students with disabilities to fully participate in the conduct process and experience important learning and growth opportunities. ■

About the author

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Submit an article

What initiatives have you developed to support students with disabilities on your campus? How do you engage the community in making the campus fully accessible and understanding disability as diversity? What challenges have you faced providing accommodations, and how did you solve them? What leadership strategies work best for you?

For submission guidelines, please contact Editor Joan Hope at jhope@wiley.com. ■