

Dear Concordia Faculty,

Many of you will be receiving student ADA accommodations notifications from the ADA office this semester. Most of you are familiar with these procedures, but for some this may be new or review.

I wanted to take a moment to look at the Three 'R's for faculty – Roles, Rights and Responsibilities, related to working with students with disabilities. My hope is that you will find this helpful as you work with students.

The number of students with disabilities attending post-secondary education institutions increases with each passing year. It continues to grow at Concordia. As faculty working with students with disabilities, you have certain roles, rights and responsibilities. These are supported by several federal laws which can assist students with disabilities in having the full opportunity to enjoy the benefits of a postsecondary educational experience.

From the Office of Civil Rights:

“OCR enforces Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability. Every school district and nearly every institution of postsecondary education in the United States is subject to Section 504 or Title II. Entities covered by these civil rights laws have an obligation to comply with legal requirements and to carry out their programs and activities in a manner that does not discriminate on the basis of disability.

Institutions of postsecondary education must provide an appropriate academic adjustment based on students' disabilities and individual needs when necessary to avoid discrimination. In providing an academic adjustment, a postsecondary institution does not have to eliminate or lower essential requirements, or make modifications that would result in a fundamental alteration of the programs or activities being offered or impose an undue burden on the institution.”

Faculty Roles:

- Make reasonable accommodations
- Provide access to classroom and materials
- Maintain confidentiality

Confidentiality in the accommodation process must be maintained by all parties. Letters of accommodation should be filed in a safe place, and faculty should refrain from discussing students' disabilities and necessary accommodations in the hearing of fellow students or others who do not have an “educational need to know”.

Faculty Rights:

Faculty members have the right to:

- Maintain academic standards for courses
- Determine course content and how it will be taught
- Confirm a student's request for accommodations and ask for clarification about a specific accommodation with Disability Services
- Deny a request for accommodation ** IF the student has not been approved for such accommodation
- Award grades appropriate to the level of the student's demonstration of mastery of material
- Fail a student who does not perform to passing standards

At the college level, reasonable accommodations are put in place to remove barriers and provide equal access for students with disabilities. Reasonable accommodations are not intended to guarantee success, but to provide access. Students are still expected to meet all course requirements.

Faculty members do not have the right to:

- Discuss a student's accommodations in the presence of other students or with others who do not have a "need to know"
- Refuse to provide an approved accommodation for a documented disability
- Challenge the legitimacy of a student's disability
- Review a student's documentation, including diagnostic data
- Ask any student if he/she has a disability. Students must self-identify.

Faculty Responsibilities:

Faculty members have the responsibility to:

- Maintain appropriate confidentiality of records concerning students with disabilities except when disclosure is required by law or authorized by the student
- Understand the laws and the university's guidelines regarding students with disabilities
- Refer students to Disability Services when necessary
- Provide a statement in the syllabus or course guide encouraging those students who have a documented disability or think they may have a disability to seek assistance with the Disability Support Services office
- Provide requested accommodations and academic adjustments to students who have documented disabilities, in a timely manner
- Provide handouts, videos and other course materials in accessible formats upon request
- Evaluate students based on their abilities rather than their disabilities

We in the Disability Support Services office are available to serve as a resource for any faculty seeking assistance in providing accommodations to students. We

welcome your questions. Also, please let us know if you have concerns about a particular student. Your input is valuable! It's a team effort and we are always happy to work with you and the students to assist, and provide the best service possible.

God's blessings as you prepare for this semester!

Serving with you in Christ,

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