



Transcript of Session 5: 4th Thursday ADA Talks

ADA, Higher Education, and Section 504

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Presenters

- **Erin Fitzgerald**, Coordinator - Comprehensive Transition and Post-Secondary Program (CTP), Supported Higher Ed Project, Human Development Institute (HDI)
- **John Caldora**, Disability Accommodation Consultant

Presentation

Jason: I'm Jason Jones. I'm the Kentucky liaison to the Southeast ADA Center and multiple disability specialist at the University of Kentucky working on several projects. I want to thank everyone for being here today. We've been doing this Thursday ADA Talks for about four or five years now. And we're really excited this is a subject we have not brokered before. So I'm really very happy to welcome two colleagues, Erin Fitzgerald. She's the coordinator of the Comprehensive Transition to Post-Secondary Program. And John Caldora. And I will turn it over to you both.

And again, thank you all so much for being here. And let's learn something about higher education in the ADA.

Erin: Hello, good morning. Thank you for having us here. I'm Erin Fitzgerald on the CTP Coordinator at the University of Kentucky. I work with Human Development Institute at the University of Kentucky and CTP stands for Comprehensive Transition and Post-Secondary Program.

And John Caldora works as a disability accommodation consultant at the Disability Resource Center at University of Kentucky.

I'll be doing the first several slides and then we'll turn it over to John. Furthermore, he is more of the expert on the content of today's webinar.

So just quickly I want to share what the order of topics is that we will be covering today. The rights of college students provided under the ADA and Section 504. The reason that we're here today to learn more about that. The importance of understanding the roles, responsibilities, and routes to support. That includes the distinction of roles and accessing supports and services. There are different people involved in helping students connect with supports and services. And we all have different roles. So it's important to understand those. And we'll give an example of this in our current partnership at UK with students in the College and Career Studies Program, which is the program I coordinate at UK.

We'll talk about the importance of partnership and communication between those partners in students supports. During John, John's part of the presentation, he will talk about the Disability Resource Center Support Services and process. Some differences in legislation of IDEA's versus ADA and K through 12 versus college, which is something that a lot of

people probably don't know the distinction, distinctions of until they're in the middle of it in college. Distinction of role examples. So I talked about before of the importance of understanding different roles and responsibilities. So we'll talk a little bit about that and he'll also talk about additional resources and information to consider.

We will emphasize the importance of self-advocacy in accessing supports in college. And then at the end there will be time for Q&A. So that's kinda where we're going with this.

We'll start out with rights of college students provided under the ADA and Section 504. And I just want to start out by saying that I am not an expert on the law and I am not the person in the direct role or responsibility of making sure that students have access to this. John is in that role very much at UK. But part of the reason that I wanted to explain myself being one of the people on this webinar, even though I'm not an expert, is that it's important for anyone attending here to also understand that you do not have to be an expert in the law in order to navigate the system that offers the support that it offers. Students who are requesting support and getting support under that law are not going to be experts and they are going to be at the center of that navigation. Many of us who work in the university system who are not in the direct role of being the expert on the law are also going to be helping in that navigation. So it's important that we do not expect everyone to be an expert on it, but that we still work together too, help students navigate it.

So I will start with an overview of the sum of the elements covered by the ADA and Section 504 in college. This is all stuff I'm just going to mention and John will talk more in depth in a little bit about it. First of all, accessible

facilities. People have to be able to access the facilities. At college, students and faculty have to be able to get in and out of the spaces and use the spaces regardless of their disability. So there are specific rules regarding access to facilities.

Service animals is also covered under this, which is there's distinction between service animals and support animals. That is something that John can speak more to as well.

Equal access and full participation. And some of the elements of that would be academic accommodations and academic adjustments, grievance procedure, auxiliary aids and services, technology, and non-academic services. So those are some of the things that John will mention here in just a little bit.

It is important that we think about the roles and responsibilities and routes to support for students in college. Some of those roles and responsibilities are going to fall on the institution. And some of those roles and responsibilities are going to fall on the student.

So one first step in understanding it as understanding which roles are with which place. Some of the roles and responsibilities of the institution are providing architectural access, as mentioned before. Making sure that people can access all the spaces of college, of the campus, Provide reasonable accommodations if requested by the student and discuss the accommodations process, needs, and options with the student.

So although it is the responsibility and the role of the student to request accommodations if they are needed. Once that request has been made, it is in the role and responsibility of the institution to discuss that process and

make sure it is understood and that options are understood. So some of the roles of the student. Just first of all, requesting accommodations and other services as needed. That's not going to automatically be in place. It has to be something that the student is able to communicate that they need.

Provide documentation of disability. That is also on the, that is the role and responsibility of the student.

Once a student requests accommodations and if those accommodations are granted, it is still the role of the student to meet with instructors to discuss those accommodations for each class. This might seem obvious to some people if you're outside of it. But I think because of some of the differences between accommodations in high school or K through 12, and accommodations in the process and college, it's something that a lot of people overlook. So meeting with the instructors and making sure that that communication between the student and the instructor is happening is extremely important.

And advocating and communicating about any barriers or other needs as they come up. That is also important to make sure that a student understands that, that is within their role to do.

There are also other possible resources for students. Here are some examples of those: TRIO funded programs, student support services. And in some of these that are listed, the Career Center. In some of these, there may be specific resources that are available only for certain demographics of students and some maybe for all students, but they're all resources that are good for students to check out and see what they might be able to access to make the college experience more effective for them.

Tutoring services, there are a lot of different on UK's campus, e.g. there are a lot of different tutoring services that people can check out. Peer mentoring. There's peer mentoring for specific groups of students like in the program that I coordinate. We handle peer mentoring ourselves, but in the TRIO funded programs, they have a peer mentoring program and there are some other programs across campus. And this is true of a lot of campuses that may have other routes for peer mentoring.

Advising. This is something that all students do have access to, is a student advisor. Or an advisor for a student. But it is not something that all students really use as much as they could. So it is something that's important to understand that the resource is there.

Academic coaching is also something that is available to a lot of students. And getting connected with an academic coach. If you're able to get connected to any of these services, making sure that the student is still the person initiating that activity.

And because there is so much of that role that is on the student or starts with the student. That's why I think it's so important that we partner. If there are other people on the campus who are in communication with the student. That we partner with each other and communicate with each other as well to help that student access the supports that they have available.

So accommodations provided under the Americans with Disabilities Act, and Section 504 that is just one part of students support in college. That is an access piece. But it's also important to explore those other campus resources. The institution must provide access, but each student must find the combination of supports and services that will work for them. So requesting accommodations is really just the beginning. I think I mentioned

this because some students will have their meeting to discuss accommodations and get those in place and then have a mindset of, "okay everything's in place now, and now I'll go on through with my classes and everything will be automatic and set up. The access will be there. But I think for students to really find a process that works for them and routines in college that work for them. It's going to be a combination of these accommodations and other resources and processes that the student creates.

For students getting other supports outside of accommodations, then partnership and communication can be very helpful. I find it to be helpful not only for the students, but for those of us who are in support roles. I know that it is helpful for me, for example, to understand the process that John goes through, even though his role is very different from mine. And I learned from that. And that helps me know how to find other resources that students can access so that communication between us can help support the students, even at times when we're just communicating with each other.

So I'm going to give a quick example of this partnership at UK because it is going to be referred to in John's slides, which will be next. So I mentioned before I coordinate the College and Career Studies or CCS program. And John is at the Disability Resource Center at UK. The College and Career Studies, it's a comprehensive transition in post-secondary program, which is abbreviated as CTP. It is a non-degree program supporting students with intellectual disability. And CCS students attend college to take classes of interest, explore career options, and engage in campus and community life. Now, this program was not specifically made available by the same

legislation, but it was in part made available by the Higher Education Opportunity Act of 2008. There are many pieces of legislation that allow different types of access over the course of time for different students in college. So what is afforded students by one piece of legislation is going to be different than what is offered to students from another piece of legislation.

Supports for students in the CCS program are different from the accommodations provided through the Disability Resource Center. This is an example of why it's important to understand the roles and responsibilities and accessing supports in college. CCS students will get some supports from our program staff. But they also get accommodations through the DRC. We have different roles, but we work together to respond to the needs of each student. And that sounds really probably simple and obvious also. But it is really easy in a large institution where we all have a lot of different things to do and we're within our own roles to not communicate with each other or not. See that the piece of the puzzle that someone else is providing in their roles. So that's why I think that partnership is such an important thing.

So I'm going to turn this over now to John to go over the slides of the processes that Disability Resource Center at UK.

John: Hey, thank you, Erin. Hi everyone. My name is John Caldora. I'm a disability accommodations consultant at the Disability Resource Center. We all work with a wide range of students, but I mainly work with students with mental health disabilities, as well as our neurodivergent and autistic students.

Like many people in our field, I wear many hats. I also coordinate alternate tech services at the university, as well as coordinating our neurodiversity outreach efforts. At UK, we have two offices. This is pretty new.

We have our main office and the Multidisciplinary Science Center. If you're not familiar with UK's campus, That's basically right on the boundary between our medical campus and our and our academic campus. We do have a full, very large testing facility there for students who need to take exams with accommodations.

And we have a smaller office in our main Student Center. That's mainly meant to say outreach facility where we do a lot of programming as well as since it's in the same building as our visitors center, we get a lot of people who come off of tours and have questions. And so that's why we're there as well.

So the DRC, like other corresponding organizations, or centers at institutions around the country, provides reasonable accommodations to otherwise qualified students with documented disabilities. By which our accommodations are, and we'll get into this a bit more in a moment. But they cannot fundamentally alter what is being learned. And they also cannot be an undue administrative or financial burden on an institution. We, unlike a lot of public access, disability services do require documentation and sometimes we require quite a bit of it. As part of our responsibilities under Section 504 and the ADA. By otherwise qualified, we mean students who with those reasonable accommodations can complete the work as outlined by the institution. Our goal is to provide equal access to the educational environment. Erin touched on this a bit and I'll touch on it a bit more in a couple of slides.

As I stated, we do not fundamentally alter degree requirements. Our students who registered with us complete the exact same level and caliber of work as any of their classmates. And mainly, we do this through providing consultative services and academic testing services to our registered students and faculty to support them in understanding these very complex intersections of law and curriculum and things like that.

So there are some major differences between how disability are accommodated in K through 12 and in post-secondary education. Both of them, to some extent, operate under Section 504 of the Rehabilitation Act, which we'll get into in a moment. However, they also operate under two separate federal laws as well. K through 12 operates under I-D-E-A. Post-secondary institutions such as us operate under the ADA. In K through 12, they will provide what I will call, accommodations and modifications. So they have the ability to modify work so that students can work to their ability level rather than grade level.

Meanwhile, in post-secondary institutions such as UK, with the exception of the CCS program, which I'll discuss how that works a bit differently. Students are required to work to the same core standard as their peers. And as a result, Students will succeed or fail on their own merits. So we will provide you with the accommodations to give you equal access. And we obviously want you to succeed, but whether you succeed or fail is on you. There is no guarantee of success.

Since IDEA provides a right for a free and appropriate public education, the way we usually explain this difference to our parents and students is that you will receive some form of credential in alternate diploma, a degree, diploma, certificate of completion when you are leaving K through 12

education. So you will leave with something. There's no guarantee of that in higher education.

And as I said, we do this through guaranteeing equal access to the educational environment, which may not just be the classroom, but may also be everything from residence halls and dining halls to other aspects of the college experience as well.

So another way to think about this difference is that in K through 12, modifications can change or simplify the information transmitted to and from students and instructors. So an example of this is students may be given a test with a reduced number of, of choices for multiple choice exam. Or they might have to write a shorter essay. Or they might have to just demonstrate something to what they are capable of. In higher education, we can only change the method in which the information is transmitted, not necessarily the infimum or not the information itself.

So we operate under two federal laws in higher education. And what section of that applies depends on what type of institution it is. Everyone operates under Section 504 of the Rehabilitation Act of 1973. This prohibits disability discrimination against all program and activity participants, which includes students, faculty, staff at an institution. It's enforced by the U.S. Department of Education and Justice. You can sue for 504 rights under federal courts, but typically not receive monetary damages as a result.

Now, I know that a lot of parents and students are familiar with the concept of a 504 plan, which is one of two types of accommodation plans typically offered. The other one being an IEP or Individual Education Plan. A 504 plan from high-school does not directly transfer to college. Again, that's

because accommodations or modifications might look different. Also, we may have different documentation standards.

We also operate under Title II or III of the ADA. This prohibits disability discrimination against program participants and activity including students. Title II applies to public institutions. So public schools such as UK, operate under Title II While Title II applies to places of public accommodation, which can mean everything from hotels and restaurants to private institutions like Harvard or Yale. They are enforced by the U.S. Department of Education and Justice. And again, you can proceed, you can proceed with legal action under federal courts, which may include monetary damages.

So there are other laws as well to consider. The Fair Housing Act, or FHA applies to housing. This includes housing on college campuses. Although Section 504 regulations, do include more robust protections for people with disabilities in college campuses, and so that also applies in college housing. The main way that we work with the Fair Housing Act is as it relates to emotional support animals, which are animals that do not perform a particular task, but provide a person with emotional comfort, typically within their home or in our case, residence hall.

We also have FERPA, which you may here, which is the Federal Educational Rights and Privacy Act. Or might be family educational. See their family or federal, but everyone just calls it FERPA. We determine that in almost all cases, the student must be the person to request accommodation and communicate with the institution and makes decisions. Even if a student is under 18, if they are in higher education, as far as FERPA is concerned, they are an adult. The only major exception to this is

if a student is under a guardianship order, which would then supersede rights under FERPA.

The other one is when it comes to dual enrollment, we will usually collaborate closely with the high school that is offering the dual credit program. But generally speaking, students need to be able to advocate for themselves. They need to be the ones that are requesting accommodations. And we are going to be communicating with them and relying on their decisions. Now, they may sign a waiver that allows us to talk with parents, but that would be more of an informational offering so that they can support the students rather than having decisions made.

So there are many accommodations that someone can receive both academically as well as in other areas. But I listed some of our most common ones here. First of all, we offer extended time on exams. This is not untimed testing. Most of the students who need this received time and a half, some of them receive double time, some of them do receive more. But that is something where we also will explore other accommodations related to testing such as breaking an exam into two smaller parts, creating a break between exam parts. We'll look into other options there as well.

Jason: We had a quick question about that "since our, how's the time? How are accommodations determined for students? Understand testing costs are different for each student, how are the hours determined?"

John: Yes, that's determined through what is called the interactive process as part of the ADA and Section 504. But every student, once they complete our intake form and submit documentation, I or one of my colleagues sit down with them and we'll discuss the documentation and how their disability is impacting their education. That includes your capability of

finishing exam with the time allotted. Do you find that you are running out of time? Do you find you have to rush? Put down answers? When that happens, about how much of the exams you get through before that point. And generally we use that as sort of a guideline of how much extended time are we going to start off with? And if the student finds out that's not working for them, we can always sit down and discuss adding more to answer some of the other questions that came up.

So, FERPA. FERPA applies to all students in all institutions, including higher high school, but AP programs are run through the high-school. Students then take the AP exams and are then given effectively transfer credits, marking that they complete the course so they do not interact with us. So typical high school FERPA rights apply there. [pause] That's a good question, Charles about disability affecting up to 25% of youth.

Typically in order to receive specific accommodations, because this is an individualized process. Students do need to reach out to us. At the same time, we encourage our faculty members to contribute to things such as universal design, as well as to making their classrooms as accessible as they can so that we do not have to use accommodations if possible.

So other accommodations include reduced distraction testing environment. This is not necessarily zero distraction. We can't guarantee that you're going to take your exam in a black hole and there's not gonna be any sound or anything distracting you. But instead that the testing environment will have less distraction than the standard classroom testing environment. So this may be a smaller room with less people, or in some cases, in some student cases it may be a private testing space.

We have limited flexibility with attendance and due dates for students with chronic health issues or other disabilities who may need some additional time in case of a disability flare up or in case their disability impacts their ability to attend class or complete assignments on time. We do offer some limited flexibility in that regard, but it's not going to be as much flexibility as you saw in K through 12 education.

Receiving a copy of the PowerPoints or other publicly provided handouts. This does not include an instructor's personal notes. Those are the instructors property and it would give the students an unfair advantage if they were provided those notes.

Being able to audio record lectures. So that's if you say have ADHD and you find yourself getting distracted in class, you have something that you can use to complete your notes later on.

Alternate format of course materials and textbooks. This includes, typically nowadays this is mostly digital. So this would include making a textbook accessible to a screen reader, whether that be JAWS, in which case we usually convert it to a Word document. Or whether that's more of a screen reader designed for someone with a learning disability related to reading, in which case we will use Kurzweil or something else that is more friendly to that disability.

CART captioning of course, is just, just like we have in this meeting. We do offer that for courses as well.

We offer housing and parking accommodations, whether that be a specific room type, access to specific resources within that room, or if a person needs accessible parking.

And we offer early registration. This isn't something we offer to all of our students, but this is something that we offer on occasion. Such as if a student is say, taking medications that impact how their day is going and impacts when they will be most able to perform in classes. That might be a reason for early registration.

So I'm going to talk a little bit about how Erin and I work together. Students meet with us in the DRC before the start of the year or shortly after the start of the year, depending on when they were admitted to the CCS program. We provide reasonable accommodations that faculty are legally required to abide by. That's the important part. Faculty have to do what we say. If they don't, they get in trouble. We work with all students at the university regardless of admissions types.

So we have a program at UK called the Dolphin Scholars Program, which is for retirees to take classes at UK. We work with those students. We work with our doctoral students, we work with our students who are applying to be lawyers or doctors or pharmacists. We work with our students who are just coming in for their standard undergraduate degree.

And we work with students in the CCS program. The CCS program does have the ability to modify assignments for non-credit courses. So again, that's if a student is auditing a course, they can change the information that's being transmitted, like we discussed earlier, such as reducing the length of an essay or changing the prompt, or reducing the number of available options on an exam. However, that's only for courses for which a student is not receiving credit and that's at the discretion of CCS and the instructor.

And usually the student will have their own learning objectives that are set by them and CCS in order to demonstrate the appropriate level of engagement with the material. Eligible students for this program, which our students with a diagnosed intellectual disability are admitted through a special non-degree seeking process. Now, if they do take classes for credit at UK, they can use those credits in if they decide to transfer into a degree program. But the courses that they audited, those courses would not would not transfer.

Now, there are grievance procedures. If you feel that your rights have been violated or you have not received the accommodations that you were promised. We first ask students to come to their DRC consultants. That's how I'd say about 95% of these grievances are resolved. Typically, it just comes down to a miscommunication and we need to just discuss with the instructor or with the students about how the accommodations are meant to be executed. And in that case, you know, there's a couple of e-mails that go back and forth, maybe a meeting with the instructor or the students and everyone, find this resolution acceptable.

The next step would be my boss, our DRC director. That's, you know, if you feel like I have not given you an accommodation that you feel like you would need, That would be the next point of contact. Also, all institutions are required to have an ADA or 504 Compliance Coordinator. At UK that's handled through the Office of Institutional Equity. And they act as the formal point of appeal for if you have questions or issues.

After that, you can also reach up to the U.S. Department of Education or Department of Justice Offices of Civil Rights, in which case they would come in and do a formal investigation. And at some point during that

investigative process, usually it's before the investigations concluded. They would determine whether or not there was a violation, and they would come up with some agreement between the institution and the Department of Education or Justice and how that is resolved. At least that's how the Department of Education works, the Department of Justice and usually attaches some sort of monetary fines to that.

And finally, as I mentioned, under these various laws, students do have the right to pursue legal action through federal courts. I should point out that there is no charge for the first four options, but there is a charge for the last option.

Okay, So this concludes my section of the presentation. We're also going to discuss the importance of self-advocacy in accessing services in college. Erin do you want to kick us off for this?

Erin: Yes. Thank you so much for all that great information, John. I wanted to start by saying, building on something that John said about the way that we work together for students that are in the College and Career Studies Program. And that is, as John mentioned, that the program is non-degree. So if there are modifications rather than just accommodations for students, that the reason that those students have access to that is not the same as the reasons why people get accommodations. And this is a lot for students to sort out and understand at times. So that's why I think it is important for us to have these conversations. So that we can also then explain to students who is in the role for which support.

So I wanted to emphasize again, as he mentioned, that students who are, some students in our program, for example, will decide to take a class for

standard credit. And in that case, they will use only accommodations. And we will not modify any content. And their expectations for how they complete the coursework is the same as any other student. And if a student is not sure at the beginning of the semester whether they want to, there is a window of time that students can decide whether to switch to audit instead of taking a class for credit. And that's going to depend on the way the class is designed and how that matches with a student's strengths and learning styles.

So it could be that a student starts out thinking, I will take this class for credit. And then once they get into the class and see some of the expectations on the syllabus and the things that are the way the class is designed, they may change their mind about that or vice versa. We have had some students start a class and think, Oh, I'm going to take this for audit. And then once they realized the way that the class is being taught and the content that is in that class. They may feel, oh, I think I can do this with accommodations alone and would not need to modify the content all of bringing all of this up. Because whatever those decisions are, it is still ultimately the decision of the student to communicate that, to make that decision, and then to communicate what they, what supports that they need or whether they're going to take that class if for credit or audit.

So sometimes students coming in from the K through 12 system are not used to being the person to request supports or being at the center of that. In the same way, students are at the center of the support, ideally, of course, in all settings. But in terms of who has to start the request for each need and each accommodation or in some cases modification. And again, that's only if it's in this different program that needs to come from the

student in order for it to happen. And there are laws that make that so as well.

So those laws have to be understood enough that the student at least recognizes the importance of communicate, communicating what it is that you want and need. It does not necessarily mean that you will get everything that you want. But if you are the one communicating what you need, you're gonna be more likely to find the answers to what you do have access to and to learn the difference between access and supports that are, that are not part of that law. And I'd be curious to hear what your experience has been with what students do or don't understand about that piece when when they come into the process of requesting accommodations.

John: Yeah. This is definitely part of the accommodations process where where there is a lot of difference from K through 12 into higher education. And so we encourage as much as possible that students are participating in there 504 or IEP meetings during K through 12, especially in high school, so that they are getting ready for this.

And what this also boils down to is we want to make sure our students, if they're not entering with self-advocacy skills, that we are supporting them in developing those skills and developing that courage to ask for the supports and accommodations they need. Because this is really one of the, for many of our students, the last places where you will have someone who is proactively looking out for your interests and proactively supporting you. Because once you move into employment or once you search for other governments, accommodations and resources, you may not find someone who is someone who is proactively supporting you as a disability resource

center. But that's just because we are still at our heart and educational institution.

And so educating students in how they are, in the importance of self-advocacy and educating them in how to effectively advocate for themselves is part of our mission.

Erin: Agreed. And it's also a situation where those of us in different roles in how we're supporting students and helping them navigate their college time. And the supports that they get while in college. I think all of us in these different roles, as well as the student, all have the same goal in mind, which is wanting students to be successful. There are things that we can change and things that we can't change along that route. But I think that we all have that shared goal.

So I know that we're emphasizing a lot of the importance of the student communicating and advocating about what they need. But that is not to say that there are not other people like us and other people in the institution as well who are not supportive in helping out with that. We just have to make sure that students understand their role so that it doesn't get lost in it. It also becomes really important after college, as John mentioned. I mean, once students leave college and go into other environments, there may not be someone who is directly involved in even giving the information about what you need to know about your rights and about accessing what you need in order to be successful.

So we don't want to immediately put that on students without any support. But we do want to make sure that students understand their role in it. So that is just an important thing. And I think since we're getting close to time here,

I'm going to move on to the Q&A time. I believe that the that our hosts will bring up any questions that we might want to discuss in a bit of time that we have left.

Jason: Once I example of modifying materials and the class of a class in regards to accommodations versus modification.

Erin: So I'll start with that and John, you can chime in. I'll give an example. And again with our program, since it is a non-degree program, if a student is taking a class for audit, there is still a we are still monitoring progress under a different mechanism from the standard grading process. But for students who are taking a class for audit, the reason that they can have a modification instead of just accommodations is specifically because it is not resulting in a grade or leading in that class, leading toward a specific degree because those requirements are locked in with the grading and the degree.

But so for a student who is taking a class for audit, for example. their learning plan may be about focusing on a specific aspect of the content of that class. Instead of all of it, it may involve honing in on a certain a certain portion of the material that that student is going to focus on. And then their academic progress would be based on that learning plan which was developed with them. And that is that students saying here is what is important to me to learn in this, in this class.

And here's, here's why this is going to be important to me and here's what, here's the way I'm going to show that I have learned this material for a class that is not being taken for standard academic credit. That is why we would be able to do that.

However, if a student wants to take the class for standard academic credit, then they would not be able to change the content of what they're learning in a way like that. But instead, if they could have accommodations, much like John mentioned on the list before, it may be more about making sure that, that you have extra time on a test. Or a lot of students in the program I coordinate, use both.

But like a standard, really helpful accommodation that a lot of students get would be access to the transcripts of class. And some students get that in real-time because it helps them to process the information if they're able to read it as they're hearing it. And then also go back later and have the transcript from the class to read over again. That's not altering the content, but that is just allowing that student to engage with that content in a different way and to continue to engage with it later after the class is done.

And so some people will tell me that really helps me to learn that because in order for me to really soak in the information and think about it, I need to see it and hear it and then revisit it a couple of times. So that's not changing the content. That's an example of an accommodation that is allowing access for that student. But the student is still then putting in the same amount of work and answering the same questions and the same material as any other student in the class.

Jason: How do you educate parents in this process? So that the student is able to build their self-advocacy skills.

John: This I'd say is there's more of an emotional education. We, uh, you know, we do go out to high schools. We do regularly talk with parents and when we do, we emphasize it is important that you are allowing your child to start these advocacy skills now, because when you are coming into

higher education, there is like a sudden cliff in what your ability to advocate for your child is because most of it's going to fall on your child. And that's not to say that the parent can't the child and advocating for those things.

But ultimately that advocacy must come from the child. And so we do try to have those conversations early. We encourage, we encourage guidance counselors and we encourage people we work with in K through 12 to have those conversations with parents. Ultimately though, it might be sudden, sort of a sudden sharp conversation that we need to have on occasions if parents have not had the opportunity to experience that message ahead of time. And usually in those cases we will, we will. Well, we always offer, but we would highlight the students opportunity to fill out a release form to allow us to talk to the parent but again, we would any requests for services or changes to services would have to come from the student.

Jason: So how has universal design and, or the push for equitable access change your service delivery? In the last few years says we're thinking more about removing as many barriers as possible so students start after request as many accommodations.

John: Yes, I agree. And I'll highlight two specific examples, one intentional and one non-intentional, of how universal design has worked.

First of all, as electronic textbooks just becomes more readily available, whether that's through Kindle or another or another reader system, are requests for alternate texts have dropped dramatically. As a result, there is less work on our office unless students needing to go through the process. And I'm waiting for us to get the book, turn the book into something accessible and give it to them. Instead, that is now just instantly available to them as an option from the publisher. Because they might get the book

through Kindle or through a proprietary software from the publisher that already has a screen reader built in.

The other example, unintentionally was during COVID. A lot of our students with chronic health issues or who, or who perhaps, you know, might get distracted in a large class. Instead of having to go to classes in person now have increased opportunities, at least at UK, to attend classes online. I will say though, that about half my students loved being online and half my students hated it. So it's very much a individualized, your mileage may vary, consideration.

Erin: And I wanted to mention also that I have seen a lot of difference in the way that instructors who are very obviously including intentionally including elements of universal design in their teaching strategies. It has a huge effect in terms of the students in the program I coordinate, but I'm sure just overall, it has a huge effect on not only whether students are, how students are receiving that information and giving back information and that being very effective. But in that short window of time that students that have an option of whether to request to take a class for audit or take a class for credit.

Just seeing the syllabus in the first week or so of class, understanding what the design of the instruction is and the course content is. It often makes that very clear within the first week of class that, oh, this, this course is designed in such a way that it is going to work for that the student can say, I think I'll be able to do this class in this way, or I think I will need other supports. So it's really been a game changer when a student is in a class where that is very intentionally considered and the and the instruction is, is

designed with extra thoughts in mind about it being accessible for everyone.

Jason: Okay, guys, we're going to have to stop it right there. I'm sorry. We didn't get to all of the questions. We will make sure you all get the PowerPoint will be made available.

And just wanted to thank everybody for being here.

And I'm going to invite everybody to "Who enforces the ADA?" which is our June 22 [webinar for] 4th Thursday.

And with that, I'm gonna turn it over to Celestia for the last of our housekeeping. Thank you guys for being here.

Celestia: Yes. Thank you. Thank you again for joining us for today's session number five in the fourth Thursday ADA Talks 2023 with the topic of ADA, Higher Education and Section 504.

Please advance the slide. Next slide.

Okay. So right here you're going to see your Easter egg here. Remember that the University of Kentucky mascot, that you will be asked about this in your post-test. So the mascot is the Wildcat. Just so if you're wondering why that's up there.

Next slide, please.

A certificate of participation is available for this webinar. To receive a certificate, you must listen to the entire webinar. Your attendance to the entire webinar will be verified and you must complete the online post-test evaluation.

The link to the post-test will be posted in the chat and also emailed to all registered participants at the end of this webinar, I'm going to post that right now in the chat. So you have that in case, you are on a time constraint. It is posted now in the chat.

An archive, will be available on the website within five days. And also the archive of the recording and the transcript will also be available at DisabilityWebinars.org

Next slide.

If you have any questions about the ADA, contact your regional ADA Center at 1-800-949-4232 or contact the Southeast ADA Center at 404-541-9001 or you can email us at adasoutheast@syr.edu

Remember, all calls and e-mails are confidential. Thank you. And this concludes today's session.

Erin: Thank you so much.

Jason: Thank you, guys. Appreciate you.

John: Happy to be here.

[End of presentation.]

Contact and Questions?

Southeast ADA Center

Web: adasoutheast.org

Email: adasoutheast@syr.edu

Phone: 404-541-9001

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