

NHTI – Concord’s Community College

Disabilities Services

Complaint/ Grievance Procedures Regarding Rights

Under the ADA/ADA Amendments Act and Section 504

These are the procedures for student complaints/ grievances concerning actions or decisions which they perceived violate their rights under the Americans with Disabilities Act, ADA Amendments Act or Section 504 of the Rehabilitation Act. Students must first seek to resolve their complaints by talking directly with the person involved. If the complaint remains unresolved, the student should discuss the problem with the Coordinator of Disabilities Services. The Coordinator of Disabilities will arrange to meet with the student and the other parties involved with the problem. If these good-faith efforts do not lead to a satisfactory resolution, or if the Coordinator of Disabilities is part of the problem, the student is encouraged to contact the Civil Rights/ Equity Coordinator directly. The Civil Right Equity Coordinator is the designated authority to investigate, mediate and suggest a resolution. Refer also to the NHTI Student Handbook.

The college is sensitive to the fear and/or embarrassment an individual may experience in coming forward with a complaint regarding discrimination. Grievance reporting procedures outlined in the Student and Employee Handbooks are designed to provide a safe, confidential, and supportive environment in which an individual may discuss his/her concerns about discrimination. Any NHTI student, employee, or visitor who has observed, is aware of, or has been a victim of discriminatory or harassing behavior while engaged in an NHTI-sponsored activity, should report such behavior to the Civil Rights/Equity Coordinator at NHTI or the Director of Human Resources for the Community College System of New Hampshire. Refer to the NHTI Student Handbook regarding Civil Rights/Equity grievance procedures.

The Coordinator of Disabilities Services, Dr. Beverly Boggess, can be reached at: bboggess@ccsnh.edu, 603-271-7723 or 149 Learning Center, Library Building, NHTI, 31 College Drive, Concord, NH 03301-7412.

The Civil Rights/Equity Coordinator at NHTI- Concord’s Community College, Dr. Kathleen Dotter, can be contacted at kdotter@ccsnh.edu, 603-271-6960 or Room 106 North Hall, 31 College Drive, NHTI, Concord, NH 03301-7412.

Sara A. Sawyer is the Director of Human Resources for the Community College System of NH, 26 College Drive, Concord, NH 03301, 603-271-6300.

POLICIES AND PROCEDURES
MANUAL FOR SERVICES AVAILABLE
FOR
STUDENTS WITH DISABILITIES

For Faculty, Staff, and Students
at the NH Technical Institute

Third Edition
July 2005



NHTI

Concord's
Community College

New Hampshire Technical Institute
31 College Drive
Concord, NH 03301-7412

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FOREWORD

This manual begins with an introduction and an overview of the basic principles underlying Disabilities Services at NHTI. The remainder of the document is comprised of Frequently Asked Questions (FAQ's) with an index for easy location of specific topics of interest. Current information is also available on the NHTI website, www.nhti.edu. Please also consult the current NHTI catalog, Student Handbook, and other NHTI and NHCTC policy documents.

INTRODUCTION

In compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, the New Hampshire Technical Institute is committed to providing educational opportunities for all students and assisting them in making their college experiences successful. New Hampshire Technical Institute recognizes a student with a disability as anyone who has a physical or mental impairment that substantially limits one or more major life activities. The Coordinator of Disabilities Services coordinates the provision of reasonable accommodations for students with disabilities. All reasonable accommodations are individualized, flexible, and confidential based on the nature of the disability and the academic environment.

Individuals who request accommodations must disclose a disability, request accommodations, and provide current, appropriate documentation of their disability from a qualified professional/examiner (physician or other licensed professional such as a psychiatrist, psychologist, school psychologist) to the Coordinator of Disabilities Services, Dr. Beverly Boggess, in the Learning Center (LC; Voice/TTY 271-7723) who will review the request and documentation.

There is a legal imperative embodied in Section 504 of the Rehabilitation Act of 1973, which is often referred to as the "Civil Rights Act" for people with disabilities. It states in part:

"No otherwise qualified handicapped individual shall, solely by reason of his/her handicap, 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."

In order to comply with this mandate, colleges and universities must assure that the same educational programs and services offered to other students are available to students with disabilities. Academic ability should be the primary basis for participation in postsecondary education.

To accomplish this goal, both physical and programmatic access must be provided. This means that reasonable accommodations must be made in the instructional process to ensure full educational opportunity. This principle applies to all teaching strategies and modes as well as institutional and departmental policies.

OVERVIEW OF POLICIES & PROCEDURES

Statement of Non-Discrimination

New Hampshire Technical Institute does not discriminate in the administration of its educational programs, activities, or employment practices on the basis of race, color, religion, national origin, gender, age, sexual orientation, disability, marital status, or veteran status. This statement is a reflection of the mission of the NH Community Technical College System and New Hampshire Technical Institute and refers to, but is not limited to, the provisions of the following laws:

- Title VI and VII of the Civil Rights Act of 1964;
- The Age Discrimination Act of 1967;
- Title IX of the Education Amendment of 1972;
- Section 504 of the Rehabilitation Act of 1973;
- The Americans with Disabilities Act of 1975;
- Section 402 Vietnam Era Veteran's Readjustment Assistance Act 1974;
- NH Law against Discrimination (RSA 354-A).

Inquiries regarding discrimination concerns may be directed to Dr. Eileen Fitzsimmons, Civil Rights/Equity Coordinator at New Hampshire Technical Institute, 31 College Drive, Concord, NH 03301, 603-271-2583 or to Sara A. Sawyer, Director of Human Resources for the NH Community Technical College System, 26 College Drive, Concord, NH 03301, 603-271-6300. Inquiries may also be directed to the US Department of Education, Office of Civil Rights, Region 1, JW McCormack Post Office and Courtroom Building, Room 707, 01-0061, Boston, MA 02109-4557, 617-223-9662; the New Hampshire Commission for Human Rights, 2 Chennell Drive, Concord, NH 03301, 603-271-2767; and/or the Equal Employment Opportunity

Commission, JFK Federal Building, Government Center, 4th Floor Room 475, Boston, MA 02203, 617-565-3200.

OVERVIEW OF RIGHTS AND RESPONSIBILITIES

RIGHTS AND RESPONSIBILITIES OF STUDENTS WITH DISABILITIES

Students with disabilities at NHTI have the **right** to:

- access courses, programs, services, activities, and facilities offered through the Institute;
- work, learn, and receive reasonable accommodations, academic adjustments, and/ or auxiliary aids and services;
- maintain confidentiality of all information about their disability except as disclosures are required or permitted by law.

Students with disabilities at NHTI have the **responsibility** to:

- meet and maintain qualifications with reference to the essential elements of courses and health, character and technical standards for courses, programs, services, and activities;
- self-identify as an individual with a disability and seek information, guidance, and assistance when necessary;
- document from appropriate licensed professional(s) the disability and follow procedures for obtaining reasonable accommodations.

RIGHTS AND RESPONSIBILITIES OF THE COORDINATOR OF DISABILITIES SERVICES IN CONJUNCTION WITH FACULTY AND PROFESSIONAL STAFF

The Coordinator of Disabilities Services has the **right** to:

- identify and establish appropriate accommodations for courses, programs, services, activities, and facilities in consultation with faculty and professional staff;
- request and receive current documentation that supports the need for accommodations, academic adjustments, and/or auxiliary aids and services;
- deny a request for accommodations, academic adjustments, and/ or auxiliary aids and services if the documentation demonstrates that the request is not warranted, or if the individual fails to provide appropriate documentation.

The Coordinator of Disabilities Services has the **responsibility** to:

- provide or arrange reasonable accommodations, academic adjustments, and/or auxiliary aids and services for students;
- maintain appropriate confidentiality of records and communication, except where permitted or required by law;
- make referrals to counseling, student health, career services and other departments and/or agencies.

RIGHTS AND RESPONSIBILITIES OF THE FACULTY AND STAFF IN CONJUNCTION WITH THE COORDINATOR OF DISABILITIES SERVICES

The Faculty and Staff have the **right** to:

- receive verification of a documented disability from the student written in collaboration with the Coordinator of Disabilities Services in the form of a Reasonable Accommodation Plan (RAP) which may or may not state the nature of the disability, per student's request;
- contact the Coordinator of Disabilities Services to discuss appropriateness of accommodations.

The Faculty and Staff have the **responsibility** to:

- keep all disability-related information regarding a student confidential;
- provide any reasonable classroom and/or other office accommodations;
- maintain the same criteria for students with disabilities as are applied to all other students with reference to course objectives and health, character and technical standards;
- inform students of procedures for arranging accommodations at the beginning of the semester. (See Academic Affairs statement in every course syllabus.)
- consult with Disabilities Services staff for accessible and alternative media and audiovisuals when appropriate.

ACCOMMODATING STUDENTS WITH DISABILITIES

CONFIDENTIALITY AND RELEASE OF INFORMATION

The Coordinator of Disabilities Services is committed to ensuring all information regarding a student remains confidential as required or permitted

by law. This information may include grades, biographical history, disability information, and case notes. No one has access to student files kept in the office of the Coordinator of Disabilities Services except the Coordinator of Disabilities Services, the Disabilities Assistants and authorized staff. Any information regarding a disability gained from medical or psychological evaluations shall be considered confidential and shall be shared with others within the institution on a need-to-know basis only per the Family Education & Privacy Act (FERPA). A student may sign a written consent form giving the office permission to discuss the disability with faculty and staff, parents, coaches, and/or advisors who require more information. Students may choose to share records with individuals per release of information request forms.

COURSE REQUIREMENTS AND ESSENTIAL ELEMENTS

Faculty are not required, nor encouraged, to dilute curriculum or reduce course requirements for students with disabilities. However, special accommodations may be needed in the way information is presented and in methods of testing and evaluation. Depending on the disability, the student may require the administration of examinations orally, the use of readers and/or scribes, time extensions for the completion of exams, a quiet and private room to take the exam, or an adjustment of test formats. For out-of-class assignments, the extension of deadlines may be justified. The objective of such considerations should always be to **accommodate** the student's learning differences, **not to lower** scholastic requirements. The **same standards** are applied to students with disabilities as to all other students in evaluation and assigning grades.

Faculty include the following Academic Affairs Notice in all course syllabi:

Students with documented disabilities are eligible to receive reasonable accommodations that address individual learning needs. To receive services, students must contact the Coordinator of Disabilities Services, whose office is in the Learning Center. For details, please refer to the Policies and Procedures Manual for Services Available for Students with Disabilities for Faculty, Staff and Students at the New Hampshire Technical Institute, which is available in print on the NHTI Web site (www.nhti.edu).

Students with documented disabilities should be aware that simply noting in writing or in discussions with faculty that one's disability affects academic skills does NOT constitute formal disclosure of a disability. Once a student develops a Reasonable Accommodation Plan (RAP) with the Coordinator of Disabilities Services, that student is responsible for providing a copy of the RAP and discussing it with the instructor. Students should make requests for specific accommodations at least one week prior to when the accommodations are needed.

Prior to receiving accommodations, a student must obtain a signed Reasonable Accommodation Plan (RAP) from Disabilities Services and present it to faculty in the courses in which they wish to receive accommodations.

To ensure consistent accommodations with each student, and to inform students of support services available, faculty are encouraged to maintain contact with the Coordinator of Disabilities Services with comments or questions. When students present a RAP to faculty, a Faculty Signature Sheet should be included which allows faculty to add comments or questions. Faculty determine what is reasonable with reference to course objectives, health, character and technical standards.

It is important for faculty to discuss appropriate accommodations with students; however, asking questions about a student's disability, such as the diagnosis, must be avoided. Students have the legal right not to disclose the diagnosis; they need only discuss how reasonable accommodations **can** assist them in their academic environment.

DISABILITY ACCESS STATEMENTS

When planning conferences, events, and activities, the organizer is responsible for handling requests for accommodations and contacting Disabilities Services. The following statement is an example of one that could be used in publications:

“To request disability accommodations, please contact the Coordinator of Disabilities Services at 271-7723.”

Publications such as bulletins, program brochures, class schedules, newsletters, and instructional publications will be provided in alternative formats (e.g. Braille, large print, tape, electronic format) **upon request** by Disabilities Services. In these documents one of the following statements could be used:

“This publication/material is available in alternative formats upon request. Please contact the Coordinator of Disabilities Services at 271-7723.”

It is NHTI policy to provide, on an individualized basis and upon appropriate documentation, reasonable accommodations to students who have disabilities. Students are encouraged to contact the Coordinator of Disabilities Services to discuss their individual needs for accommodations.

OVERVIEW OF DISABILITIES SERVICES

DOCUMENTATION FOR SERVICES

Documentation from an appropriate licensed professional to certify that a student has a disability and to help determine reasonable accommodations is required and must be provided by the student within a reasonable time frame as determined by the Coordinator of Disabilities Services. If the initial documentation is not current, complete and adequate to determine the extent of the disability, the Coordinator of Disabilities Services has the discretion to require additional and/or updated documentation. Documentation is kept in confidential files with consent forms and contact notes. Students are seen by self-referral or by referrals from faculty or staff if a learning disability, attention deficit disorder, mobility impairment, or other disability is suspected.

REASONABLE ACCOMMODATIONS

A reasonable accommodation is an adjustment to a course, program, service, activity, or facility. It offers a qualified student with a disability an opportunity to attain the same level of performance or to enjoy benefits and privileges as are available to a similarly situated student without a disability. To determine reasonable accommodations, the Coordinator of Disabilities Services may seek information from appropriate NHTI personnel regarding

essential standards for courses, programs, services, activities, and facilities. Reasonable accommodations are determined by examining:

- barriers resulting from interaction between the documented disability and the campus environment;
- possible accommodations that might remove the barriers;
- whether or not the student has access to the course, program, service, activity, or facility without accommodations; and
- whether or not the essential elements of the course, program, service, activity, or facility are compromised by the accommodations.

All reasonable accommodations are individualized, based on the nature of the disability and the academic environment, and are discussed with each student confidentially. Below is a partial list of some of the accommodations received through the Coordinator of Disabilities Services office.

- Accessible classroom/location
- Use of assistive listening devices
- Use of assistive technology (AlphaSmart keyboard, spellchecker, tape recorder, Road Runner, Med-Spell, Quicktionary Reading Pen, SmartPad)
- Use of auxiliary aids and services (note takers, readers, and transcribers), when appropriate
- Use of specialized computer software (Dragon Naturally Speaking, Kurzweil reader, Zoom Text)
- Document conversion (Braille, large print, tape, and electronic format)
 - Exam accommodations
 - reader for exams
 - computer (see software listing)
 - extended time, when time is not essential to course objectives, typically time and a half
- separate, quiet test environment
- readers and scribes
- Housing accommodations
- Interpreters
- Priority registration
- Taped lectures
- Letter to health insurance company supporting enrollment in reduced course load provided that an accommodation plan is used.

ACADEMIC ACCOMMODATIONS

The Coordinator of Disabilities Services will outline the process for provision of reasonable accommodations with each student who discloses a disability.

A Reasonable Accommodation Plan (RAP) will be developed with each student who discloses a disability and is eligible for accommodations. A RAP certifies that the student has a disability and states the appropriate, reasonable accommodations. The nature of the disability will **not** be disclosed to the faculty member unless specifically requested by the student.

The student with a disability will be responsible for delivering the Reasonable Accommodation Plan (RAP) to faculty in a confidential meeting during faculty office hours, preferably in the faculty member's office or other campus location.

Students with disabilities will be responsible for contacting the Coordinator of Disabilities Services if reasonable accommodations are not implemented in an effective or timely manner. The Coordinator of Disabilities Services will work with the student with disability and NHTI personnel to resolve disagreements regarding recommended accommodations.

FREQUENTLY ASKED QUESTIONS

Q-1: Who is considered to have a disability?

Both the ADA and the Rehabilitation Act state that persons are considered to have a disability if they (a) experience a physical or mental impairment that substantially limits one or more of the major life activities; (b) have a record of such impairment; or (c) are regarded as having such impairments.

A physical or mental impairment is defined as "any physiological disorder or condition, cosmetic disfiguration, or anatomical loss affecting one or more ... body systems." Impairment constitutes a disability only if it is severe enough to result in a "substantial limitation in one or more major life activities" for the individual in question. Such activities are defined to include the ability to perform functions such as walking, seeing, hearing, speaking,

breathing, learning, working, performing manual tasks, and taking care of oneself.

Q-2: What is the legal basis for the right of nondiscrimination against people with disabilities in higher education?

In 1978, the U.S. Department of Education (DOE) issued regulations to implement Section 504 of the Rehabilitation Act of 1973. These regulations applied to institutions receiving federal funds. Section 504, as revised, states in part:

“No otherwise qualified individuals with handicaps in the United States ... shall, solely by reason of the 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.”

The Americans with Disabilities Act of 1990 (ADA) is a broad affirmation of Section 504 administrative regulations. Its application is not limited to federal recipients, however, and it is expressly actionable in federal court. As a result of the ADA, people with disabilities have the civil right of equality of opportunity in employment, services of state and local governments, public accommodations, transportation, and telecommunications. Although ADA has garnered more public attention and consumer sentiment than has the Rehabilitation Act, the latter remains in force.

Q-3: How do Section 504 and the ADA apply to NHTI?

Stated simply, two titles of the ADA apply to NHTI: Title I requires nondiscrimination in employment. Title II requires nondiscrimination in all programs, services, and activities of state and local governments, which includes publicly supported colleges and universities. The ADA Access Guidelines, an appendix to Department of Justice (DOJ) Title JU regulations, govern physical access features of new building construction and remodeling. Some other parts of the ADA apply as well, but these are sufficiently cross-referenced in Titles I and II.

NHTI is subject to the requirements of Section 504 because it receives federal funds from the U.S. Department of Education and is subject to the requirements of Title II because it operates as a public entity.

Q-4: Does the ADA require affirmative action or grant special advantages to students with disabilities?

No. The law does not require “special treatment” for people with disabilities, only equal opportunity. There is no obligation to change academic requirements and/ or standards that the college can “demonstrate are essential to a program of instruction ... or to any directly related licensing requirement.” The law is very clear that an individual with a disability must be **qualified** for a program in order to participate in it.

Q-5: Does NHTI have special admission standards for people with disabilities?

No. Disability is not a factor of the admission decision; admission standards are the same for all.

Q-6: If I send the admissions office information about my disability, will I be automatically registered with Disabilities Services?

No. Such confidential information is not shared between offices. A student must meet with the Coordinator of Disabilities Services in the Learning Center to register for Disabilities Services. Documentation of disability is not sent automatically by high schools; the student must provide documentation to the Coordinator of Disabilities Services. Documentation is discussed further in Q-11.

Q-7: Who is eligible for Learning Center services?

Students are eligible for Learning Center services if they are enrolled in one or more classes as a matriculated or non-matriculated student. This includes courses sponsored by the Division of Continuing Education. These services may include special tutoring referrals for diagnostic assessments, the borrowing of special equipment for use at school, etc.

Q-8: If I document my disability and register for Learning Center services, will that show up on my transcript or my permanent record?

No. The Registrar’s Office keeps track of the students’ permanent record and transcript. Disabilities Services’ records are completely separate. They

are confidential and are released only with written permission from the student.

Q-9: How can an applicant for admission request accommodations?

Disabilities Services is not limited to serving enrolled students only. If an applicant for admission needs disability-related services at any step in the admissions and enrollment process, such as information in accessible formats, help with filling out forms, or sign-language interpretation, assistance is available. Contact Disabilities Services at (603) 271-7723 (voice-TTY).

Q-10: Are students with disabilities required to take assessment (placement) tests?

Yes. Assessment testing, also known as placement testing, is required of all matriculated students, with or without disability, before registration is permitted for most NHTI courses. This testing provides the student's advisor with information needed to help the student find the appropriate courses. Assessment testing consists of a writing sample, study strategies inventory, and reading comprehension, math, and computer literacy tests. Assessment testing is not timed. Students requesting accommodations for placement testing must provide documentation of their need to the Coordinator of Disabilities Services prior to scheduling their placement testing to insure that the requested accommodations can be provided. (Q-11g gives more information about documentation.)

Q-11: Can students with disabilities be required to use Disabilities Services?

No. The ADA explicitly leaves to people with disabilities the option of taking or not taking advantage of special programming made available to them. At NHTI, a student with a disability who is **not** requesting special accommodations **cannot be required** to participate in Disabilities Services.

Faculty and Administrators are **always** within their rights to refuse academic adjustments requested on the basis of disability in cases where the student has not given due notification to the Coordinator of Disabilities Services and/or has not been determined by the Coordinator of Disabilities Services to be eligible for these adjustments.

Q-12: Why would a student with disabilities entering NHTI want to use Disabilities Services?

The courses at the New Hampshire Technical Institute (NHTI) are challenging. Experience has shown that students who choose to use available resources tend to have a more successful college career and experience less stress than those who do not. (Q-13a-Q-13c explain the steps a student should take to access Disabilities Services.)

Q-13: Before beginning the first semester, what two steps does a student need to take to access Disabilities Services at NHTI?

Before beginning the first semester, the **first step** a student needs to take is to submit documentation to NHTI Disabilities Services. This information is not part of the admissions decision. Documentation is not automatically sent by school districts. It is the **student's responsibility** to submit documentation of disability after acceptance to NHTI if that student would like to receive Disabilities Services. The documentation will assist the Coordinator of Disabilities Services in developing a **Reasonable Accommodation Plan (RAP)**. (Q-15 gives more information on documentation and Q-30-31 have more information on the RAP.)

The **second step** is to contact the Coordinator of Disabilities Services. The student should schedule an appointment with the Coordinator of Disabilities Services **prior to the beginning of the first semester**. During this meeting the student's documentation will be reviewed, individual needs assessed, and the RAP developed.

Q-14: At the beginning of the first semester, what three steps does a student need to take?

At the beginning of the first semester, the **first step** is to finalize his/her RAP. If there are any loose ends to tie up for the completion of the student's Reasonable Accommodation Plan, they should be taken care of within the first two weeks of the semester.

The **second step** is to inform faculty about his/her learning challenges. A student with disabilities is responsible for informing his/her faculty about his/her learning challenges. A student selects which faculty to share the

RAP with. Then the student meets with those faculty to provide a copy of the RAP and to discuss its content.

The **third step** is to know and use the resources available. The Learning Center offers all NHTI students peer tutoring, drop-in math and writing assistance, study skills tutoring, access to computer-aided instruction, and the opportunity to form study groups. Students should meet with instructors during their office hours to ask questions and clarify material from the text and lectures. They should stay in touch with faculty advisors/ Department Heads. Students should also stay in contact with Disabilities Services, letting the staff know how they are progressing and use the staff as a resource to help trouble-shoot issues that may arise.

Q-15: At the beginning of the second and all subsequent semesters, what two steps should the student take?

The **first step** is to request copies of the student's RAP. The importance of informing professors of learning or physical challenges through the RAP is critical. The student should request copies of his/her RAP for distribution to new instructors each semester.

The **second step** is to assess his/her need for services. If the student is beginning the second semester with a strong grade point average, the need for services may decrease. If, on the other hand, the student experienced difficulties during the first semester, he/she should consider taking further action to improve his/her course standing such as utilizing faculty office hours, lab usage, tutoring, and increasing the use of disabilities services support.

Q-16: What if a student wants to make changes in his/her RAP for the following semester?

If a student wants to make changes in his/her RAP, it is best to meet with the Coordinator of Disabilities **prior to the start of that next semester.**

Q-17: How is a disability documented at NHTI?

Documentation refers to documents describing the student's disability and his/her need for academic adjustments and support. Documentation should include relevant records which may include the most recent diagnostic testing

conducted by a trained and qualified professional (such as a psychologist, educational diagnostician or health care professional), and/or a performance summary document. The student's most recent Individualized Educational Plan (IEP) or 504 Plan from high school may also be helpful but is not sufficient in and of itself.

The student's documentation should be up to date, address his/her current level of functioning and support the request for accommodations. Documentation is reviewed on a case-by-case basis based on its quality, recency and completeness. Documentation varies with the disability and must include a diagnosis, the professional's credentials, the effect of the disability on a major life activity and the effect on academic performance. If the student does not have recent documentation, the Coordinator of Disabilities Services is available to consult with the student, for example, to provide a list of possible evaluators for updated educational documentation. **NHTI does not provide diagnostic testing services.**

Appropriate documentation of a disability depends on what the disability is and the extent of the request. The more hidden the disability and the more far-reaching the request, the more comprehensive the documentation requirement. Requests for accommodations intended to lead to special access to academic programs always require formal documentation.

Written instructions detailing what accommodations are needed may also be valuable or even necessary, depending on the nature of the request. For example, a student requesting a course or exam accommodation on the basis of a learning disability must provide written support for the request from a licensed psychologist or psychiatrist, which specifically recommends the accommodation and states a rationale for the recommendation.

Contact the Coordinator of Disabilities Services at 271-7723 with specific questions about documentation.

Q-18: Are temporary disabilities covered under ADA and Section 504?

Temporary disabilities are **not** covered under Section 504 and the Americans with Disabilities Act. Personal care cannot be provided for temporary disabilities such as a broken ankle, wrist, etc. However, consultation,

assistance with obtaining assistance with note taking, and other information can be obtained from the Coordinator of Disabilities Services, 271-7723. Documentation of the temporary disability may be required.

Q-19: What is accessibility?

The word “access” has two formal applications: physical access and program access. Physical access has to do with things like designated parking, curb cuts and ramps, door widths, location and type of elevator control buttons, service-counter heights, signage etc. The ADA contains detailed, enforceable guidelines to assure access to new buildings and to existing facilities as they are remodeled. Program access refers to an allowance that special accommodations can be made by state and local governments where existing facilities are inaccessible, so that people with disabilities can participate in and benefit from government-provided programs, services, and activities. When existing facilities are inaccessible and program access services would be ineffective, physical facilities must be modified in accordance with ADA Access guidelines.

Generically, the word “accessibility” refers to equality of opportunity. The ADA requires special services to that end, and academic adjustments in policies and practices to assure nondiscrimination. Nondiscrimination against people with disabilities can be stated more positively as the right of access.

Q-20: If a classroom is inaccessible to a particular student, can the class be moved?

Yes. Although the need to move a class to a different room in order to enhance accessibility rarely presents itself at NHTI, there is a simple procedure for doing so. Any student having this need should contact the Coordinator of Disabilities Services and explain the difficulty with the current location. The Coordinator of Disabilities Services will work with the course instructor and the course scheduler to identify an appropriate alternative location. If the request is deemed reasonable, the course scheduler will make the necessary arrangements with the course instructor to move the room in which the class is held.

Q-21: Can special class scheduling needs be accommodated?

Yes. NHTI recognizes that special scheduling needs can arise from disability. Hence, priority can be given to students with such needs to assure an equal opportunity to participate in academic programs. Eligibility for priority registration is based on actual special needs imposed by disability; simply having a disability is not enough. Some examples would be the need for extended time to ambulate across campus or take a break between classes, medically prescribed dietary and other treatment schedules, side effects of medications, disorders that alter sleep cycles, and the need to order accessible textbooks well in advance of the beginning of a class. Students who plan to request priority registration are advised to contact Disabilities Services staff and their academic advisors to set appointments for academic advising in advance of announced registration periods. Should any question arise as to the appropriateness of priority registration for a given student, advisors are requested to contact the Coordinator of Disabilities Services.

Q-22: What is a full time or part time course load?

A full-time load is considered 12 credits; fewer than 12 credits is considered part-time. Twelve credits means a total of three, four credit or four, three credit courses or other combinations. Therefore, over a semester, a class meets one hour per week for each credit hour-a three credit course meets three times a week.

For part time students, Federal Financial Aid guidelines specify that six credits is the lowest load that qualifies for financial aid. Students are encouraged to discuss full time course load requirements with an academic advisor for their respective program. A financial aid counselor can determine how their aid will be affected by a reduced course load.

Q-23: What if a student needs to take a reduced course load?

Students need to maintain a satisfactory grade point average of C or better to remain in their programs. For some students with disabilities, maintaining satisfactory progress with a full-time course load of twelve and more credit hours may be difficult. In some cases, eleven, ten, or nine credits may actually be equivalent to a full-time load for these students. Therefore, these students may be advised or may find that they need to take a reduced course load, for example, between seven and eleven hours. Students are

strongly urged to maintain regular contact with their faculty, advisors and Disabilities Services staff.

Q-24: What about health insurance coverage with a reduced course load?

Disabilities Services can assist in preparing letters for health insurance companies to verify that a reduced course load is equivalent to a full-time course load for students. The Federal Financial Aid guideline of at least six credits for qualification for financial aid is typically used as the lower limit of hours for a reduced course load. Students must request letters from Disabilities Services and are strongly urged to take an active role in academic support activities. The insurance company makes the final determination based upon this information.

Q-25: What about sports participation with a reduced course load?

Students who participate in sports normally take a full time course load of at least twelve credits. For students with disabilities who need to take a reduced course load in order to maintain an acceptable grade point average, Disabilities Services can prepare letters of support for sports participation. Students are responsible for making their requests for letters to Disabilities Services. As with health insurance letters, the Federal Financial Aid guideline of at least six credit hours for qualification for financial aid is typically used as the lower limit for a reduced course load. It is strongly recommended that students actively participate in academic support activities.

Q-26: How does a student become eligible to receive accommodations?

Eligibility for accommodations is determined by the Coordinator of Disabilities Services in an assessment made in a meeting of the Coordinator and student. Three factors are taken into account: information given by the medical or psychological documentation, the student's adaptive experiences, and the professional judgment of the Coordinator, who is trained and experienced in identifying the functional limitations of and mitigating approaches to disability.

Q-27: What is the origin of the term “reasonable accommodation” and how does it apply to college programs?

The term reasonable accommodation comes from legislation covering nondiscrimination in employment, not from that covering access to state and local government services. Employers are required to make reasonable accommodations for employees and job applicants with disabilities. The ADA defines reasonable accommodation by examples:

“Reasonable accommodations may include (A) making existing facilities used by employees readily accessible to and usable by individuals with disabilities, and (B) job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or adjustment of equipment or devices, appropriate adjustment or adjustments of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.”

The term’s broad nature, ease of use, and neutral appeal has led it into generic use, but reasonable accommodation is not found in the federal regulations in any context but employment. Instead, the terms used in educational settings are “auxiliary aids and services” and “academic adjustments.” These two terms set higher standards for educationally related adaptations than the term reasonable accommodation.

Q-28: What are auxiliary aids and services?

Auxiliary aids and services are defined as equipment and direct personal services to support communication with people whose impairments require their use. While an exhaustive list is not possible, we can give some examples of auxiliary aids and services: qualified sign-language interpreters, readers and scribes, computer-assisted real-time transcriptions; assistive listening devices, Braille, large-print, and tape-recorded textbooks.

Q-29: What assistive technology options are available?

The Disabilities Services Office located in the Learning Center offers a variety of assistive technologies to help students attain their educational and career goals. Through the equipment loan program, books on tape, and computer-based technologies, students enhance their learning. Through the Carl Perkins

grant, other partnerships, and Learning Center Department funds, Disabilities Services strives to keep the collection of assistive technology options as current as possible. Faculty and students interested in viewing the available auxiliary aids may contact Disabilities Services at 271-7723 or 271-7726 to arrange a tour.

Q-30: What does the Equipment Loan Program include?

The Disabilities Services Office has a variety of assistive technologies available for students to borrow while they are enrolled in classes.

Examples of currently available equipment include:

- **Cassette recorders** that allow students to record and/or play back class lectures.
- The **AlphaSmart 2000/3000** is a keyboard that works with any desktop or laptop computer with an external port. Students who prefer typing over writing use these portable keyboards to take notes in class then download those notes onto their home computer.
- **Bookman** is a powerful, portable electronic reference with a built-in dictionary and thesaurus.
- **Quicktionary Reading Pen** scans words and provides text-to-speech pronunciation and definitions to over 200,000 words.
- **MedSpell** phonetically spells close to 150,000 words from *Stedman's Medical Dictionary* including biographical last names.
- The **SmartPad** allows students to instantly capture notes written on an ordinary notepad to a Palm Organizer. Notes can then be downloaded onto a computer by using the SmartPad desktop software.

Q-31: What Books on Tape and Electronic / Digital Texts may be available?

Through a subscription to Recordings for the Blind and Dyslexic (RFB&D), students have access to academic texts that have been recorded. There are over 75,000 titles in the RFB&D collection. Tapes are played on a four-track player. One player is available for use in the Learning Center. Students preferring this auditory format may choose to borrow a player through a

subscription to the NH State Library, Library Services to the Blind and Physically Handicapped.

Electronic/digital copies of textbooks may be available from publishers through requests made with the assistance of Disabilities Services. Students should request E-texts with as much advance notice as possible. Students must abide by the publishers' guidelines for use and are usually required to verify academic use of these materials.

Q-32: What other Computer-Based Technologies may be available?

Disabilities Services has a variety of Computer-Based Technologies available for use in the Learning Center and sometimes in other campus locations. Consult the Disabilities Services staff for details about the current collection.

- **Kurzweil 3000** is a text-to-voice program that scans and reads pages from any book or document. Both visual and auditory learning styles can be supported by the act of highlighting simultaneously while reading. Kurzweil 3000 offers readers a 175,000 word dictionary, the opportunity to highlight while reading and the ability to type notes that can be extracted and printed.
- **e Reader** is a universally designed text-to-speech program that is capable of reading electronic files out loud to the user. It is capable of supporting HTML, RTF and Daisy documents. E Reader converts text to speech in both synthesized and human voices while presenting synchronous visual highlights over the text as it is read.
- **Inspiration** is a visual tool that helps students develop ideas and organize thinking through the use of word webs and concept maps. Information can be displayed as diagrams or outlines.
- **Dragon Naturally Speaking** is a voice-to-text program that converts spoken words to text. The functions and features of Dragon Naturally Speaking can be controlled by voice commands.
- **ZoomText 8.1** is a powerful program that consists of two adaptive technologies: screen magnification and screen reading. ZoomText allows the user to see and hear everything on the computer screen, providing complete

access to applications, documents, email and the Internet.

Additional assistive resources are:

- **MagnaLink CCTV** is a magnifying electronic vision aid for individuals with some useful vision. Printed materials and objects can be placed under a camera and the magnified image is displayed on a television screen or computer monitor.
- **Teach Logic ‘Sound Learning’** is a classroom assistive amplifier/listening system designed for individuals with auditory difficulties. It is designed to broadcast the instructors’ voice directly to the ears of individual members in the audience.
- **COMTEK** wireless auditory assistance kit is a listening system designed to create a wireless FM sound link between the speaker and the listener for clean, clear, close-up sound.
- **Graphire 3** is an electronic pen tablet that is compatible with PCs. It allows the user to write directly into Microsoft Office. The Graphire also allows its user to annotate documents in Adobe Acrobat or Microsoft PowerPoint.
- **Mimio** is an assistive technology system which may be used as a projector to assist students in seeing professors’ notes more clearly and having a set of copies to use. Mimio can control desktop applications and documents directly from the board. It permits instructors to digitally capture, save and share notes, diagrams and drawings. It can be used with a projector and it networks to PCs.

Q-33: What note taking support may be available?

Faculty may be asked to identify a student in their class who takes good notes. The designated note taker(s) are asked to write their notes and deliver them to the Learning Center for pick-up, or make other arrangements through faculty or directly with the student. A student can choose whether he/she wishes the note taker to know his/her identity. Students with disabilities are encouraged to transcribe the notes they receive from another student into

their own words with help, if necessary, from the Coordinator of Disabilities Services or other members of the LC staff. Students are encouraged to use instructors' office hours, Blackboard resources and publisher's companion website resources.

Q-34: *What is academic coaching and how can it support student success?*

For many students, accommodations alone are not sufficient for academic success. Frequently, the effectiveness of accommodations can be enhanced by the use of strategies to complement student's unique learning needs. On the other hand, consistent practice of new study habits may be difficult. Academic coaching provides support for students' use of strategies through regular meetings with professional staff. Topics may include: time management, organization, test preparation, strategies for reading comprehension, vocabulary acquisition, note taking, assignment planning, and problem solving. Students may find that the structure and consistency of meetings leads to better acquisition of skills and confidence.

Q-35: *What is the Success Seminar Series?*

Students who have had contact with Disabilities Services are invited to attend Student Success Seminars. Topics include, but are not limited to: managing stress, strategies for test-taking, working effectively with faculty, understanding learning styles, and using organizational techniques. Experienced students, faculty, Learning Center staff and guest speakers may present suggestions and involve participants in hands on activities. For example, recent sessions have been conducted about strategies from Learning Outside the Lines, by Jonathan Mooney and David Cole, and demonstrations of equipment and assistive technology options.

Q-36: *Are students guaranteed the same services as in grades K-12?*

No. The laws that apply to K-12 institutions are distinct from those that are applicable to postsecondary institutions; the laws have different approaches to meeting the needs of students with disabilities. Rights and responsibilities are different at college according to the ADA and Section 504. Higher education institutions do not provide special education as K-12 institutions are required to do. "Special education" is defined as "specially designed instruction". Post secondary institutions are under no obligation to

substantially modify program standards. Accommodations at the post secondary level permit students to have equal “access” and opportunity to participate in services already available to other students.

Primary and secondary schools are required to identify students with disabilities. Public school systems are required to provide a free and appropriate education for these students under “individual education plans.” Many families of students with disabilities incorrectly believe that records of disability automatically transfer from high school to college along with academic records, and that the college continues accommodations much as was done in high school. To the contrary, in postsecondary education, the responsibility to identify a disability lies with the student, if he or she desires to request accommodations on the basis of the disability. In fact, prior to the admission decision and notification, postsecondary admissions offices are **prohibited** from asking applicants if they have disabilities. College publications such as the NHTI catalog and student handbook identify services available and procedures to request these services. Refer also to *Investing in Your Success: A Booklet for Entering Students with Disabilities and Their Parents*.

Q-37: What services are available for all students, including students with disabilities?

Students who are enrolled in at least one course, including students with disabilities, are eligible to participate in the following available academic support services during posted day and evening hours: Math Lab (drop in), Writing Center (by appointment), Computer Lab (drop in with assistance available during posted hours), Peer Tutoring (by request and subject to availability).

Q-38: What are academic adjustments?

The U. S. Department of Education’s (DOE) regulations for implementing Section 504 of the Rehabilitation Act, as it specifically applies to postsecondary educational institutions, define academic adjustments as “adjustments to academic requirements or practices that discriminate or have the effect of discriminating on the basis of a disability.” DOE regulations give an example of allowing a deaf student to substitute a music or art history course for a required music appreciation course. The requirement of academic adjustments permits students with disabilities to use needed

aids and equipment in the classroom such as tape recorders, calculators, Brailers, and service animals. Similarly, the ADA requires “reasonable adjustments in policies and practices” to assure nondiscrimination. For the sake of brevity, this handbook generally refers to academic adjustments & auxiliary aids and services as accommodations.

Q-39: What academic adjustments (accommodations) must be provided by a postsecondary school?

According to the U.S. Department of Education and the Office of Civil Rights, a student’s disability and individual needs form the basis for the determination of academic adjustments and termed “accommodations”. Their publication Students with Disabilities Preparing for Postsecondary Education (July 2002) explains:

“Academic adjustments include adjustments to academic requirements and auxiliary aids and services, for example, arranging for priority registration; reducing course load; substituting one course for another; providing note takers, recording devices, sign language interpreters, extended time for testing and, if telephones are provided in dorm rooms, a TTY in (your) dorm room; and equipping school computers with screen-reading, voice recognition or other adaptive software or hardware.

In providing an academic adjustment, a postsecondary school is not required to lower or effect substantial adjustments to essential requirements. For example, although your school may be required to provide extended testing time, it is not required to change the substantive content of the test. In addition, your postsecondary school does not have to make adjustments that would fundamentally alter the nature of a service, program or have to provide personal attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature, such as typing” (p.2).

Q-40: What are the time guidelines for requesting accommodations?

Students are responsible to make timely requests. For example, a student who knows in advance that accommodations are needed is urged to notify the Coordinator of Disabilities Services of these needs no later than three weeks after the beginning of the semester or six class sessions after the beginning of a class shorter in length than 15 weeks. Those who need

highly specialized services, such as sign language interpretation or tape-recorded textbooks, are asked to notify the Coordinator of Disabilities Services of this **at least six weeks in advance of the semester**. Even this length of time for advance notice may not be adequate in extreme circumstances. These guidelines are not intended to restrict access; their purpose is to assure that accommodations are adequately documented, validly determined, and communicated and arranged, so as to be effective while preserving the integrity of academic programming.

Late requests are not automatically rejected. Sometimes, documentation can be difficult to obtain. A disability can be acquired or newly identified late in the semester. Sometimes students, especially new students, inform the Coordinator of Disabilities Services early on about their disabilities but want to “try it on their own” without accommodations which they may find necessary as the semester progresses. Sometimes, too, the student has insufficient academic experience to know early in the semester what limitations the impairment is likely to impose. Nevertheless, students must respect the fact that eligibility and communication processing take time to administer properly and ethically. Therefore, last minute requests for accommodations may be denied on the basis of their untimeliness.

Q-41: How are faculty and staff informed about needed accommodations?

An eligibility assessment includes a written description of accommodations recommended as necessary for the student to have an equal academic opportunity. This written assessment and summary of needs is called the student’s Reasonable Accommodation Plan (the RAP). Copies of the RAP are given to the student to hand deliver to his/her faculty, ideally before or immediately after the first meeting of a class. **The student may choose in which class(es) to use his/her RAP.** Faculty who receive a RAP from a student are encouraged to meet individually with the student to review the requested accommodations and determine how those requests can best be met in that particular class. Disagreements regarding requests should be referred to the Coordinator of Disabilities Services. Included in the RAP is a section titled “General Classroom Strategies.” In this section, faculty and student responsibilities are delineated. Certain classroom strategies are recommended based on student needs. Though faculty are not required by law to conform to those strategies noted on a RAP, they are encouraged to find techniques that will address the student’s needs.

Students are advised in the syllabus of each course that noting in writing or discussions with faculty that their disability affects academic skills does not constitute formal disclosure of a disability.

Q-42: What information about the student is given in the Reasonable Accommodation Plan?

Included in the RAP is important information about the student's learning style, a summary of strengths and challenges, and other comments about what the student is trying to accomplish. Suggestions for faculty are also included. Faculty and students are also reminded in the RAP that faculty determine what is reasonable, and ultimately that the student is responsible to share the accommodation plan with faculty for the classes in which the student wants to use the accommodations. A release of information is also included in order for Disabilities Services staff to answer questions that the faculty might have regarding the plan. Possible supports and services the student may wish to access are also listed, such as academic coaching, math lab, tutoring, and assistive technologies.

Q-43: How can the student be certain that accommodations will be provided?

Once the student is determined eligible to receive accommodations and the faculty and staff have been given the RAP, it becomes the student's responsibility to make timely contact with faculty and staff to discuss and arrange those accommodations and participate in services. This requirement is not intended to complicate the process or place administrative burdens on the student. The purpose is to keep the student informed and let him/her be his/her own best advocate. The Coordinator of Disabilities Services will provide support and other services as needed by the student in meeting this requirement. Thus, the student is strongly urged to keep in regular contact with Disabilities Services Staff to monitor progress and to problem solve together with faculty.

Q-44: What if a member of the faculty and the Coordinator of Disabilities Services disagree on what accommodations are appropriate in meeting a student's stated access needs?

The college, as a whole, is legally obligated to make necessary and appropriate adjustments and to provide reasonable accommodations for

students with disabilities. Though most always routine, this process can require discussion. While the diverse effects of disability are unique to the individual and need to be evaluated by professionals, academic necessities do vary from discipline to discipline and need to be established by faculty and the Office of Academic Affairs. Therefore, the Coordinator of Disabilities Services does not have unqualified responsibility to determine, and a member of the faculty does not have unlimited authority to deny, accommodation requests without rigorous consideration of all pertinent facts.

A faculty member who believes that a recommended academic adjustment or result of a student grievance fundamentally and irreparably debases the academic integrity of a course or academic program should contact the Coordinator of Disabilities Services to discuss the matter. Either party to such a discussion may in turn consult authorities such as Department Heads and Vice Presidents. If disagreement persists, the faculty member may contact the Civil Rights/Equity Coordinator who will investigate, mediate, and attempt to resolve the disagreement. A refusal to honor recommended accommodations may form the basis of a student complaint.

Q-45: Are college faculty and administrators permitted to make inquiries of the student as to the type or effects of the disability?

No. Medical and psychological facts about a student's disability are personal and confidential, and need only be revealed to the Coordinator of Disabilities Services for service and accommodation determination.

Q-46: Are faculty and staff permitted to refer students to the Coordinator of Disabilities Services who have not identified themselves as having disabilities but who are having significant academic problems?

Yes. Some students have undetected disabilities whose limitations negatively affect academic performance. It would not be appropriate for faculty and staff to erroneously assume that a disability label applies to academic problems, even significant and persistent ones. In the context of offering help and information, it is perfectly legal and acceptable for faculty to inform students about the existence and location of the Disabilities Services Office. It is also legal and acceptable to tell them that the Coordinator of Disabilities Services can informally provide guidance and counseling on academic problems and that certainty of disability is not required for this service. Disabilities Services can also provide information and referral services to

those students seeking diagnostic testing to detect possible learning or other disabilities.

Faculty and staff are welcome to contact the Coordinator of Disabilities Services to discuss confidentially any concerns they have about student needs that may be disability related. Please note, however, that the ADA protects the civil rights of people who are falsely regarded as having disabilities. Campus community members who either **are or are not licensed to diagnose disability but are not designated as personnel responsible for Disabilities Services at NHTI** should take care to avoid speculating, even with the best of intent, about whether a student does or does not have a disability. Faculty who may be licensed to diagnose disability but are not functioning in the capacity of Disabilities Service providers are cautioned to avoid conflict of interest and carefully adhere to NHTI policies and procedures.

Q-47: Do students with disabilities have the right to expect teachers to allow special consideration when setting class-attendance policy?

No. Teachers set class attendance policies individually, according to academic necessity. Lecture materials, collaborative learning activities, utilization of laboratory and other equipment, etc., all comprise unique and **essential elements** of the teaching, learning, and performance process. Teachers have the right to determine the degree to which class attendance affects learning outcomes and the extent to which individual student attendance meets standards for satisfactory completion of the course.

A student who cannot attend class because of disability, illness, or other reasons, may not be qualified to participate in the class. However, no policy of NHTI is exempt from the ADA requirement for reasonable accommodation of policies and procedures needed to assure nondiscrimination on the basis of disability. Therefore, if a requested excused absence were made on the basis of disability and the student could miss class **and** still fulfill course learning and performance requirements, accommodation of attendance policies may be considered by faculty, in consultation with the Coordinator Disabilities Services.

If the college were responsible for a student missing class, program access services would be necessitated in addition to a waiver of attendance policy. For example, if five minutes before the start of a class located on the third

floor of a building, a student finds that an elevator has just gone out of order. The student cannot climb stairs, and it is too late to move the class. In that case, the college would be obligated to provide services which would make up for the loss experienced by the student and the student could not be penalized for having missed the class. Alternatives such as videotaping or tape recording of class or the option to attend another section of class or a make-up class session may be considered.

Q-48: Can accommodations include exam accommodations such as extended time limits?

Yes. Extended time on examinations is an appropriate academic adjustment in those instances when no compelling case can be made that the examination in question is specifically designed to measure speed of completion. The results of an examination should accurately reflect an individual's aptitude or achievement level, understanding and assimilation, or whatever the test purports to measure, instead of an individual's impaired sensory, manual, or speaking skills. Students with or without disabilities are evaluated on the essential elements of the course.

In further support of the right to test-time extension, many courts have required state Boards of Bar Examiners to increase the standard time for applicants with disabilities to take the Bar Exam. Typically, two days are allowed for Bar Examinations, but courts have required up to four days in cases where evidence supporting such a request was provided by a licensed professional. Consistent with these rulings, the Department of Education (DOE), Office for Civil Rights has confirmed that extended time for examinations is an appropriate academic adjustment for students with learning disabilities, and for some physical impairments and emotional illnesses.

Q-49: How are appropriate time adjustments for tests determined?

Appropriate time adjustments for tests are made through consultation with the Disabilities Coordinator and faculty, who will decide how much time is appropriate in view of the type of test employed and the nature of the course material. NHTI faculty typically use time-and-one-half for in-class quiz and test extensions. Typically, reasonable accommodation plans state:

Extended time for tests when time is not essential to course objectives. (When extended time is appropriate, some campus

faculty use time and a half as a baseline for extended time; however, faculty and the student should review how much extended time may be needed based on the type of test being given and the student's needs with reference to the course objectives, health, character and technical standards.) Once tests begin, they are to be completed in one sitting unless specific, prior arrangements are made with the instructor.

In some cases, such as those in which a test with complex items is being read to the student, longer extensions may be recommended.

Q-50: Who is responsible for providing accommodations for administering tests to students with disabilities?

The faculty holds authority and responsibility for test administration; however, office facilities and staff levels are often inadequate to assure that implementation of accommodations are suitable. For this reason, faculty members may use the facilities of the Learning Center (LC) to assist them in administering in-class tests and quizzes. Limited space is available in the Learning Center and must be reserved ahead of time (at least one day ahead is recommended). Currently, Rooms 144, 145, 154, & 155 are available as separate quiet testing rooms. Students requiring the use of a computer and/or assistive software are given priority for the latter two rooms.

It is the responsibility of the student needing this service to make the request to faculty. Faculty deliver test materials to the LC with a "Test Administration at the Learning Center" form which specifies time, instructions, other materials permitted (if any), and return of the exam. Students are to take the exam at the Learning Center concurrently with their class, with consideration of extended time, unless other prior arrangements are made with faculty. Students may need to come in earlier to begin tests in order to finish before the continuation of class or start of lectures. **Changes in scheduled test times can be made only by permission of the faculty assigning the test.** After administering a test, all test materials are returned to the faculty by the LC staff or by the student, as instructed by the faculty. Supervised test security is assured by the LC.

Q-51: Can people with disabilities be required to use Disabilities Services?

No. The ADA explicitly leaves to people with disabilities the option of taking or not taking advantage of special programming made available to them. At NHTI, a student with a disability who is **not** requesting special accommodations **cannot be required** to participate in Disabilities Services.

Faculty and Administrators are **always** within their rights to refuse academic adjustments requested on the basis of disability in cases where the student has not given due notification to the Coordinator of Disabilities Services and/or has not been determined by the Coordinator of Disabilities to be eligible for these adjustments.

Q-52: What is the composition of the Learning Center (LC) and the Office of the Coordinator of Disabilities Services?

The Learning Center is composed of the Director, who also serves as the Coordinator of Tutorial Services and Coordinator of Assessment; the Coordinator of Disabilities Services; Disabilities Assistants; the Computer Lab Coordinator; Learning Center Program Assistant; Secretary. Additionally, faculty, professional tutors, student workers and peer tutors may staff the Math Lab, Writing Center and Computer Lab. The LC staff are often available to assist in monitoring tests and working individually with students regarding study strategies, and they may help to coordinate student activities. For additional information, consult the NHTI Catalog and Student Handbook, or call the LC at 271-7725.

Q-53: Does the LC have a special resource area for students with disabilities?

No, the Learning Center is open to all students. However, the LC has a study area and is equipped with talking and large display computers. Through the equipment loan program, students have access to a reading machine, electronic spell checkers, tape recorders, electronic notetaking systems, carbonless note taking paper, and more. This is where there are quiet testing rooms, tests are administered, readers are assigned, and special materials are stored. Students with disabilities are invited to use the Learning Center

for their special academic needs. It may be necessary to schedule equipment-use time.

Q-54: What is the NHCTC system’s policy regarding the use of Facilitated Communication?

It is the policy of the system colleges, through their respective Disabilities Coordinators, to provide all accommodations deemed reasonable and appropriate in compliance with federal and state requirements. Facilitated communication is a technique by which a “facilitator” provides physical and other supports in an attempt to assist a person with a significant communication disability to point to pictures, objects, printed letters and words, or to a keyboard. Both the American Psychological Association and the American Speech-Language-Hearing Association have developed position papers in which they state they can find no conclusive scientific evidence that facilitated messages reliably express the feelings, ideas, and intentions of the disabled individual.

The American Psychological Association states: “facilitated communication is a controversial and unproved communicative procedure with no scientifically demonstrated support for its efficacy.”

The American Speech-Language-Hearing Association states: “When information available to facilitators is controlled and objective evaluation methods are used, peer-reviewed studies and clinical assessments find no conclusive evidence that facilitated messages can be reliably attributed to people with disabilities.”

The System colleges must be assured that the academic standards and competencies for a course are being met by the student when a course is taken for credit. Since it cannot be definitively demonstrated that by using facilitated communication the student, as opposed to the facilitator, has mastery of the subject matter, facilitated communication is **not** a reasonable or appropriate accommodation that the College is required to provide. While determination on the appropriateness of reasonable accommodations is made on a case by case basis by the Disability Coordinator in consultation with the instructor, the Colleges do not accept a scientifically discredited technique, such as facilitated communication, as meeting the academic standards or demonstrating student competency. In distinguishing between augmented communication and facilitated communication, in particular, the

College must be satisfied that all work is being done by the student and not by an intermediary agent.

Q-55: Are special advising services available for those with disabilities?

Yes. Students with disabilities sometimes find a need for specialized counseling and advising. For example, sometimes these students need to take their disability into consideration when deciding on course load, course selection, special career plans, daily schedules, available services, etc. The Coordinator of Disabilities Services is available to work with the student's assigned academic advisor regarding recommendations for course load, types of courses and program access questions. The Coordinator of Disabilities Services cooperates with Counseling Services to assist in career development for students with disabilities. These services begin with career counseling that takes the functional limitations, residual capacities, and career interests of the client/student into consideration. Help with developing a resume, writing cover letters, and preparing for the job interview are included in an informational area in the Learning Center.

Students may seek one-on-one personal counseling to assist them with adjustment to their disability. Counseling may include contact with NHTI's on-campus counselor located in Little Hall. Institute counselors may refer students to other agencies. Students seeking counseling off-campus do so at their own expense.

Q-56: What kind of counseling services are offered?

The New Hampshire Technical Institute's Counseling and Placement Office's philosophy is to teach students how to identify and successfully achieve their educational, career, and life goals to enhance the students' learning throughout college. The department's primary goal is to teach strategies whereby students can gain insight, solve problems, make decisions, change behavior, and accept responsibility.

Counseling seeks to help students realize the greatest benefit from growth opportunities, while it also seeks to assist in the successful resolution of developmental conflict. The counselors work with individuals, small groups, and in the classroom environment. For students enrolled at the Institute, individual short-term counseling is available, confidential and provided at no charge. Referrals to off-campus resources are available when appropriate.

The Office of Counseling and Placement is located in the Student Affairs Office in Little Hall. To schedule an appointment, call 271-6981 or visit the office.

Q-57: What kind of career placement services are available?

The Career and Placement Office provides career and occupational exploration, individual career counseling, and CHOICES, a career software planning program. A “Job Market” binder of full-time and part-time job listings is available in the Counseling and Placement Office. Job search assistance and transfer information are also available.

Q-58: What residence life services are available?

Students who live on campus have access to Resident Hall Assistants and Resident Directors to discuss issues related to residential life. This information is presented at orientation for new students. For details contact the Residence Life Office of Student Affairs at 271-6984.

Q-59: What is the NHTI Transition Program?

The Transition Program provides assistance and support to “individuals in transition.” To be eligible, students must be matriculated at NHTI and be single pregnant women, single parents, displaced homemakers, individuals with documented disabilities, and/or individuals with limited English proficiency. The Transition Program has been in existence for over ten years. Formerly called the Single Parent/Displaced Homemaker Program, this federally funded initiative has helped hundreds of women and men to obtain degrees and to launch careers.

Financial assistance is available to pay for such costs as tuition, books, and other educational expenses. The Program Director helps students to reach their goals. Support groups and workshops may be available for ongoing assistance to help students with various educational and parenting issues.

Each year students are selected to participate. Applications are accepted each semester all year, and awards are made before the start of a given semester. Students may apply at the Office of Counseling and Placement in the Student Affairs Office 271-6983.

Q-60: Does NHTI provide transportation or attendant care?

No. Students are responsible for their own transportation to and from campus and between classes and buildings once on campus. They are similarly responsible for self-care or for arranging attendant care for activities such as eating, medical treatment, toileting, showering, etc. NHTI is not legally required to provide these services, and college staff have not received training to provide these services adequately. In times of inclement weather or other emergencies, however, College Security and the Coordinator of Disabilities Services are available upon request to escort students across campus.

Q-61: How can a student obtain a permit to use accessible parking?

To obtain permission to park in accessible parking places, students must submit a note from a medical doctor documenting the need to the NH Department of Motor Vehicles. The DMV will then issue the individual a handicap-parking permit. A copy of this permit should be given to Health Services 271-7153, and Security 271-6310, emergency number 224-3287. Additional information regarding handicap parking permits should be directed to Health Services, MacRury 104A.

Q-62: Do the employment provisions of the ADA cover student workers?

Yes. The employment provisions of the ADA apply to all employees at NHTI: full-time, part-time, and student workers. For information about disability and employment, please consult with Human Resources in Little Hall.

Q-63: Are there any financial aid sources, including scholarships, especially for people with disabilities?

The major grant and loan sources make no special allowance for disability itself in the determination of program eligibility or grant amounts. However, the NH Community Technical College System has a Flexible Student Loan Fund available for students with disabilities who have exhausted all other options for financial supports. Information regarding this fund is available through the Coordinator of Disabilities Services. In addition, students whose disabilities require additional expenses, resulting from their disability, may be eligible for additional funding from traditional sources. Some aid programs

allow these expenses to be considered as part of the student's cost of attendance. Organizations such as NH Charitable Foundation (225-6641) may have funds available to assist students. The State of New Hampshire has a Vocational Rehabilitation Program, dually funded by the state and the federal government. Program eligibility is based on a disability that materially limits the ability to work and the need for services. The Concord office is located at 2 Industrial Park Drive, Concord, NH 03301. The telephone number is (603) 271-2327; TTY: (603) 271-2328. The phone number for the Central Office of NH Vocational Rehabilitation is (603) 271-3471. For additional information, call the Financial Aid Office, telephone (603) 271-7135 or the Coordinator of Disabilities Services: TTY (603) 271-7723.

Q-64: Does NHTI accept charitable contributions intended to further the inclusion of students with disabilities?

Yes. For example the University of New Hampshire Institute on Disabilities awarded a grant to the NHTI campus community for the purpose of purchasing assistive technology, educating faculty, and improving the available services to students with disabilities.

Q-65: How do the state-vocational rehabilitation agency and NHTI coordinate services for students with disabilities who are VR clients?

Vocational Rehabilitation Services (VR) and the NHTI Financial Aid office co-process financial information on a form known as the Financial Aid Communication Form (FAC). Government regulations require that VR not pay for tuition, student fees, or books and supplies beyond the amount of urgent financial need, which is determined through government regulations. Similarly, the Financial Aid office must take into account funds that VR plans to authorize for these services. This is the reason for the FAC. The long process of exchanging information and arranging state authorization and direct payment to NHTI routinely does not meet NHTI fee-payment deadlines. Thus, it must be the student's responsibility to monitor communication between VR counselors and NHTI and to request fee-payment extensions in person at the Financial Aid office before fee payment deadlines fall. All such deadlines are clearly stated on the fee statement provided by the NHTI Bursar following registration for classes. Students should not assume that because the VR counselor agrees to pay for educationally related expenses at NHTI, that subsequent activities are automatic and the student need not be involved any further in business matters between VR and the college.

VR and the Coordinator of Disabilities Services also communicate formally and informally in other ways on students' behalves. They exchange information about student needs, refer students to one another, and cooperate, with student permission, to exchange medical information in the interest of documenting eligibility for services.

**Q-66: Can Vocational Rehabilitation help students succeed in college?
Who may be eligible?**

Yes, some students are eligible for support from Vocational Rehabilitation (VR). Application should be made to the Regional Office nearest the student's home. Vocational Rehabilitation is a federally funded service agency that provides job/career support services to persons with disabilities. VR services may be able to assist with educational accommodations if based upon vocational goals. Vocational Rehabilitation accepts individuals as clients provided that the disability prevents the individual from gainful employment and the individual's ability to successfully enter the work force would be a result of his/her having benefited from the VR service provided.

Q-67: How can Vocational Rehabilitation services be obtained?

In order to access possible VR services, contact your local VR Regional Office. The applicant will be assigned to a VR counselor who will assess vocational and, if appropriate, educational interests. The counselor will then work with the client to develop an employment plan that will specify the services and supports that would most likely address that individual's needs.

Options for supports may include tutoring and/or technical aids such as word processors, tape recorders, spell checkers and books on tape through Recordings for the Blind and Dyslexic. Options for support services dependent on financial need may include funds to purchase books and supplies after financial aid is applied, tuition assistance after financial aid is applied and/or transportation costs after financial aid is applied.

Q-68: Where are the Vocational Rehabilitation Regional Offices?

Concord Regional Office
2 Industrial Park Dr., Bldg. #1
Concord, NH 03301
(603) 271-2327

Nashua Regional Office
19 Chestnut Street, St. 102
Nashua, NH 03060
(603) 889-6974

Berlin Regional Office
3 12th Street.
Berlin, NH 03570
(603) 752-2271

Manchester Regional Office
361 Lincoln Street, Suite 1
Manchester, NH 03103
(603) 669-8733

Keene Regional Office
103 Roxbury Street, Suite 101
Keene, NH 03431
(603) 357-0266

Portsmouth Office
30 Maplewood Ave, Suite. 206
Portsmouth, NH 03801
(603) 436-8884

Q-69: How can the campus community assist persons with disabilities in times of emergency building evacuation?

As per standard emergency procedures, when fire alarms are activated in a NHTI, building elevators move to the bottom level and shut off, effectively blocking building exits to people whose disabilities make them unable to climb or descend stairs. These persons require rescue assistance. Each building with an elevator has a yellow emergency call box located next to that elevator. Pushing the red button will dial 911, which will alert Fire/Police. State your location, both the building and the floor. If the caller on an emergency telephone cannot speak, an officer will be dispatched to the location of the caller. College personnel, aware of the location of a person in need of rescue assistance, should find the nearest campus telephone and dial 911 to notify Police and Safety of the location of that person. Persons in need of rescue assistance, who are in immediate danger, should proceed to the nearest enclosed exit stairwell. These stairwells are constructed from fire-resistant materials and would provide the safest location to wait for rescue assistance. Also, we recommend that persons who are aware they would need rescue assistance in times of emergency evacuation carry a loud whistle or portable alarm that would attract rescuers.

Remember that people who are deaf may not hear fire alarms and should be given visual instructions to exit the building immediately.

Q-70: What should be done if a person becomes trapped on a non-ground floor, not during an emergency, due to an elevator breakdown?

Call Campus Security, 224-3287, to report the problem; do not carry the person up or down stairs.

Q-71: What are NHTI's complaint procedures for students with disabilities?

The college is sensitive to the fear and/or embarrassment an individual may experience in coming forward with a complaint regarding discrimination. Grievance reporting procedures outlined in the Student and Employee Handbooks are designed to provide a safe, confidential, and supportive environment in which an individual may discuss his/her concerns about discrimination. Any NHTI student, employee, or visitor who has observed, is aware of, or has been a victim of discriminatory or harassing behavior while engaged in an NHTI-sponsored activity, should report such behavior to the Civil Rights/Equity Coordinator at NHTI or the Director of Human Resources for the NH Community Technical College System. Refer to the NHTI Student Handbook regarding Civil Rights/Equity grievance procedures.

Q-72: Who are the Civil Rights/Equity Coordinator and Director of Human Resources, and how can they be contacted?

Dr. Eileen Fitzsimmons serves as the Institute's Civil Rights/Equity Coordinator at New Hampshire Technical Institute and can be contacted at efitzsimmons@nhctc.edu or 603-271-2583 or North Hall, Room 108, 31 College Drive, Concord, NH 03301. Sara A. Sawyer is the director of Human Resources for the NH Community Technical College System, 26 College Drive, Concord, NH 03301, 603-271-6300.

Q-73: What is Section 508?

Section 508 resulted from a 1998 Congressional amendment to the Rehabilitation Act. Section 508 requires Federal agencies to ensure accessibility to electronic and information technology comparable to that of the general public. By eliminating barriers in information technology, opportunities open to persons with disabilities that help them achieve personal, academic and professional goals.

Faculty utilizing a platform site such as Blackboard must look at any barriers arising for students with disabilities. If an obstacle arises, the instructor should work with that student to find an appropriate method to work around that barrier while keeping course content and expectations the same as for all students in the course.

For more information on Section 508, refer to www.section508.gov.

Q-74: What is Universal Design?

The concept of Universal Design finds its roots in buildings as designers began to explore ways to accommodate both young and aging populations in a single setting. The concept of Universal Design has grown to include elimination of barriers by designing buildings, products, and communication devices accessible to diverse populations by taking age and abilities into consideration. Designs make allowances for an individual's level of strength, their grip-size, and uses different modes (tactile, visual, verbal) to present information. It allows the same accessibility whether one is standing or in a wheelchair making allowances for size, posture, and mobility.

In the classroom, a universally designed curriculum presents information in a variety of ways and offers several methods for students to interact with the materials presented and makes use of technology. For example, students are encouraged to show mastery by traditional methods in addition to making presentations, applying the material to a favorite activity or game, and one-on-one interaction with faculty. It takes into consideration student cultural traditions. Whenever possible, faculty teach in an environment where furniture is movable, allowing the creation of the desired environment for all students.

Q-75: What sources were used in preparing this document?

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DISABILITIES ADVISORY BOARD

The Disabilities Advisory Board is an interdisciplinary campus-wide team of faculty, administrators, staff and students. The Board collaborates with the Coordinator of Disabilities Services and the Disabilities Assistants to establish policies and procedures, organize activities, and consult with academic departments in support of students with disabilities. For a list of current Board members, contact the Coordinator of Disabilities Services at 271-7723.

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