

# Student Academic Services

## Disability Support Services (DSS)

Disability Support Services is an element of the office of Student Academic Services. Our goal is to comply with the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 (Section 504). Congress subsequently expanded protection for people with disabilities under the ADA through passage of the ADA Amendments Act of 2008 (ADAAA). Valley City State University (VCSU) uses “the ADA” to refer to both the original 1990 Act and the 2008 amendments. The ADA makes it illegal to discriminate against someone because of a disability.

Valley City State University will provide reasonable accommodations, promote an inclusive campus environment, and encourage student independence. Reasonable accommodations are afforded to eligible students and are individualized to address specific functional limitations based on the documentation provided by a certified/licensed professional.

Students requesting accommodations at Valley City State University must contact the office of Student Academic Services. To be eligible for reasonable accommodations, the student must have a documented disability that significantly interferes with access to the curriculum, services or programs at VCSU.

The student needs to submit:

- Submit current documentation of the disability as soon as possible after receiving a letter of acceptance to the university.
- Meet with the Director of Student Academic Services to identify the functional limitations of the disability based on the documented disability in order to determine reasonable accommodations. Additional accommodations may be determined once the student has begun classes and determines there is a related barrier which prevents equal access.

## Students' Rights

*Every otherwise qualified student with a documented disability has the following rights:*

1. Equal access to courses, programs, services, jobs, activities and facilities available through the college or university.
2. Reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids determined by the institution on a case-by-case and/or course-by-course basis.
3. Appropriate confidentiality of all information pertaining to the disability with the choice of to whom to disclose the disability, except as required by law.
4. Information reasonably available in accessible formats.
5. Right to appeal denial of accommodations.

- a. Meet with the Director of Student Academic Services
- b. Petition to the academic and scholastic standing committee.

## **Students' Responsibilities**

*Every otherwise qualified student with a documented disability has the following rights:*

1. Meet the requisite qualifications and essential technical standards, both academic and institutional, including the Student Code of Conduct.
2. Self-identify to Disability Support Services (DSS) if requesting accommodations after admission to the university.
3. Submit documentation of the disability to DSS.
4. Obtain any additional assessment if requested by DSS.
5. Meet with a DSS specialist to discuss reasonable accommodations.
6. Remind professors that accommodations have been approved.
7. Manage the accommodations.
8. Arrange for and obtain personal care attendants, tutoring, and individually designed adaptive technology.

## **University Rights**

1. Maintain academic, admissions and graduation standards.
2. Request that a student with a disability provide current documentation completed by a professional source to verify the need for reasonable accommodations, academic adjustments, and/or auxiliary aids.
3. Discuss a student's need for reasonable accommodations, academic adjustments and/or auxiliary aids with the professional source of his/her documentation with the student's signed consent authorizing discussion.
4. Select among equally effective and appropriate accommodations, adjustments, and/or auxiliary aids for each student on a case-by-case/course-by-course basis.
5. Deny a request for accommodations, adjustments, and/or auxiliary aids if:
  - a) the documentation does not identify a specific disability
  - b) the documentation fails to verify the need for the requested services, and/or the documentation is not provided in a timely manner.
6. Refuse to provide an accommodation, adjustment, and/or auxiliary aid that is inappropriate or unreasonable, including any that:
  - pose a direct threat to the health and safety of others;
  - constitute a substantial change or alteration to an essential element of a course or program;
  - fundamentally alters the nature of the service provided; and/or
  - pose an undue financial hardship or administrative burden on the institution.

## University Responsibilities

*Colleges and universities have the responsibility to:*

1. Review and revise institutional, programmatic, employment, and other policies and procedures to assure that they do not discriminate against qualified individuals with disabilities.
2. Ensure that the institution's courses, programs, services, jobs, activities, and facilities (See Housing Office for resident halls and Facility Services for buildings compliance), when viewed in their entirety, are offered in the most integrated and appropriate settings based on a review of what the law requires.
3. Provide information regarding policies and procedures to students with disabilities in a timely manner and assure its availability in accessible formats upon request.
4. Evaluate students on their abilities, not their disabilities.
5. Provide reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids for students with disabilities upon a timely request by a student.
6. Maintain appropriate confidentiality of records and communication concerning students with disabilities except where disclosure is required by law or authorized by the student.
7. Provide an avenue of appeal for students denied accommodation.

*More specifically institutions have the responsibility to:*

1. Assist students with disabilities who self-identify and meet the college or university's criteria for eligibility in receiving reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids determined on a case-by-case/course-by-course basis.
2. Assure confidentiality of all information pertaining to a student's disability.
3. Inform students with disabilities of college or university policies and procedures for filing a formal grievance both internally and/or through external agencies (e.g., US Department of Education Office of Civil Rights).

*Colleges and universities are NOT required to:*

1. Reduce or waive any of the essential requirements of the course or a program.
2. Conduct testing and assessment of learning, psychological or medical disabilities.
3. Provide personal attendees.
4. Provide personal or private tutors.
5. Prepare Individual Education Plans (IEP).

Adapted from: Effective College Planning The College Experience. Technology for Transition Project. Center for Assisstive Technology. State University of New York at Buffalo. Available at <http://cat.buffalo.edu/completed/transition/ECPC.html> (2001, March 29)

## **Guidelines for Disability Documentation**

### **North Dakota Disability Services Council**

Documentation should indicate how the disability substantially limits the student in a major life activity. The information submitted is used to determine appropriate and reasonable accommodations for students with disabilities in the North Dakota University System.

Documentation provided by the student should include the following:

- A diagnostic statement identifying the disability, date of the current diagnostic evaluation and the date of the original diagnosis;
- A description of diagnostic criteria:
  - LD documentation must include test scores and interpretation of aptitude, achievement and, when possible, information processing. (See Appendix B)
- A description of how the disability currently affects the student in the learning environment, e.g. functional limitations;
- Treatment, medications, assistive devices/services currently prescribed or used;
- A description of the expected progression or stability of the impact of the disability over time should be included;
- The relevant credentials of the diagnosing professional(s) such as medical specialty and professional licensure.

## **Frequently Asked Questions**

1. How do I receive disability services at Valley City State University?  
You need to contact the Disability Support Services office on campus to start the application process.
2. When do I need to apply for Disability Services?  
It is a good idea to start the application process at the Disability Support Services office as soon as you have been admitted to the university, so that any accommodations you may need can be arranged.
3. Can I use my 504 Plan or IEP for documentation of my disability?  
If your 504 Plan or IEP contain the necessary information, it will be accepted as documentation. (See Guidelines for Disability Documentation).
4. Will I receive the same services that I received in high school?  
Maybe. High School Special Education programs are required by law to provide whatever service, help, or accommodation that you needed to be successful. Services at a university are required to provide you access.
5. Can I receive a failing grade for a college class in which I am receiving accommodations?  
Yes. Accommodations ensure “access,” not necessarily “success”.
6. I have a disability. Will I be eligible to use accommodations in college?

Maybe. The decision to provide accommodations is based on the activity and whether the disability creates any barriers to doing it. For example, a student who is paralyzed from the waist down has a disability and needs a physically accessible environment. However, this same student would not be eligible to use electronic notes or be provided with audio textbooks, because the disability does not interfere with reading or writing. (See Appendix B)

7. Will my 504 Plan follow me to the university?

No, the 504 Plan developed by your high school will not follow you to college, but the rights and protections under Section 504 of Rehabilitation Act of 1973 apply. Section 504 is civil rights legislation and provides two things: 1) non-discrimination on the basis of disability and 2) an equal opportunity to participate. The concept of “maximizing success” is only found under IDEA for elementary and secondary students.

8. Who decides what accommodations I can use in college?

The Disability Services office at the university in which you are enrolled makes the final decision after reviewing your disability documentation and talking with you. Accommodations will be based on how the disability interferes with access to the educational environment and the base course curriculum.

9. Do I have to pay for my accommodations?

No. It is the university’s responsibility to provide reasonable accommodations to eligible students with disabilities at no cost to the student.

10. Do colleges and universities provide testing to identify a learning disability?

Colleges and universities are not required to provide testing services. VCSU does not do testing, but makes referrals to appropriate professionals.

11. Is financial assistance available through the Disability Services office for students with disabilities?

No. Check with the financial aid office at the university you will be attending. Some agencies that may provide support are: Vocational Rehabilitation, Workers Compensation, the Veterans Administration, and Job Service.

12. Will the DSS office provide services like helping me get ready for the school day or pushing my wheelchair?

No. Services or equipment needed to assist a person with activities of daily living are the responsibility of the individual, not the university. For example, helping with dressing or reminding someone to take their medication is a personal service that an individual needs in order to function on a daily basis, whether or not they are in college. If the service or equipment is needed solely for the purpose of participating in a college program or activity, it is the college’s responsibility to provide it. For example, the college would provide technological assistance for essay tests if the student’s disability prevented her or him from writing. The university, however, is not obligated to provide a writer so that same student could do homework or write personal letters.

## **Appendix B - Tests for Assessing Adolescents and Adults**

When selecting a battery of tests, it is critical to consider the technical adequacy of instruments including their reliability, validity and standardization on an appropriate norm group. The professional judgment of an evaluator in choosing tests is important. The following list is provided as a helpful resource, but it is not intended to be definitive or exhaustive.

### **Aptitude**

- Wechsler Adult Intelligence Scale - Revised (WAIS-R)
- Woodcock - Johnson Psychoeducational Battery - Revised: Tests of Cognitive Ability
- Kaufman Adolescent and Adult Intelligence Test
- Stanford - Binet Intelligence Scale (4th Ed)

The Slosson Intelligence Test - Revised and the Kaufman Brief Intelligence Test are primarily screening devices which are not comprehensive enough to provide the kinds of information necessary to make accommodation decisions.

### **Academic Achievement**

- Scholastic Abilities Test for Adults (SATA)
- Stanford Test of Academic Skills
- Woodcock-Johnson Psychoeducational Battery - Revised: Tests of Achievement
- Wechsler Individual Achievement Test (WIAT)

Or specific achievement tests such as:

- Nelson-Denny Reading Skills Test
- Stanford Diagnostic Mathematics Test
- Test of Written Language - 3 (TOWL-3)
- Woodcock Reading Mastery Tests - Revised

Specific achievement tests are useful instruments when administered under standardized conditions and interpreted within the context of other diagnostic information. The Wide Range Achievement Test-3 (WRAT-3) is not a comprehensive measure of achievement and therefore is not useful if used as the sole measure of achievement.

### **Information Processing**

Acceptable instruments include the Detroit Test of Learning Aptitude-3 (DTLA-3), the Detroit Test of Learning Aptitude-Adult (DTLA-A), information from sub-tests on WAIS-R, Woodcock-

Johnson Psychoeducational Battery-Revised: Tests of Cognitive Ability, as well as other relevant instruments.

## **Possible Accommodations**

Includes but not limited to:

- Qualified interpreters or other effective methods of making aurally delivered materials available to individuals with hearing impairments.
- Electronic notes.
- Reading software, audio textbooks, or other effective methods of making visually-delivered materials available to individuals with visual impairments or learning disabilities.
- Class materials in alternative formats (for example: texts in Braille, audio textbooks, digital files).
- Acquisition or modification of equipment or devices.

## **Recap of Responsibilities:**

### **DSS Responsibility**

- Evaluate disability documentation and associated functional limitations. Determine students' eligibility for reasonable accommodations.
- Consult and advise faculty on accommodations and adjustments in teaching methods.
- Determine the student's reasonable accommodations based on documentation.
- Provide or arrange accommodations.
- Provide verification of disability and the need for specific accommodation.
- House disability records and protect students' rights to privacy and confidentiality.
- Provide an appeal process.
- Notify faculty of accommodations.

### **Faculty Responsibility**

- Hold students with disabilities to the same academic standards as students without disabilities.
- Inform students about how to request accommodations by including a statement on the syllabus.
- Consult with DSS to determine how an accommodation can be provided.
- Provide or allow reasonable accommodations.
- Refer students who report they have or are suspected of having a disability to DSS.

- Maintain confidentiality of student's disability information.

## **Student Responsibility**

- Self-identify to DSS if requesting accommodations.
- Submit documentation of a disability to DSS after admission to the university.
- Obtain any additional assessment if requested by DSS.
- Meet with a DSS specialist to discuss reasonable accommodations.
- Remind professors to activate and adopt accommodations.
- Manage the accommodations.
- Arrange for and obtain personal care attendants, tutoring, and individually designed adaptive technology.

### **Disabilities Contact Information:**

Student Academic Services  
Disability Support Services  
Valley City State University  
101 College St. SW  
Valley City, ND 58072

McFarland 218  
(701)845-7298  
1-800-532-8641