



MEMORANDUM

DATE: August 1, 2011
TO: Rensselaer Faculty
FROM: Mark Smith, Dean of Students
RE: Institute-wide Non-Discrimination Policy & Information on Disability Services for Students

We are writing to provide general information relevant to meeting the documented needs of students with disabilities enrolled in your classes. Rensselaer faculty are obligated to comply with state and federal laws that prohibit discrimination against individuals with disabilities. Students who seek accommodations are required to self-identify, provide documentation defining their disability to the Disability Services for Students office, and arrange for a letter to faculty identifying reasonable instructional and classroom accommodations necessary for academic success.

Nondiscrimination Policy:

Rensselaer Polytechnic Institute admits qualified students without regard to age, race, color, gender, sexual orientation, religion, national or ethnic origin, veteran status, marital status, or disability. Rensselaer assures students with disabilities of nondiscrimination and reasonable accommodations to ensure equal opportunity in its programs and services as required by **Section 504 of the Rehabilitation Act of 1973**, and the **Americans with Disabilities Act of 1990 (ADA), as amended in 2008 to be the ADA Amendments Act of 2008 (ADAAA)**.

The ADAAA, defines "disability" as a mental or physical impairment that substantially limits one or more major life activities of such individual; a record (or past history) of such an impairment; or being regarded as having a disability.

- Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.
- A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
- Limitation in one major life activity need not impact other major life activities in order to trigger ADA protection. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

Under Americans with Disabilities Act, **discrimination** is defined as:

- a failure to make reasonable modifications in policies, practices, or procedures, when such modifications are necessary to afford such goods, services, facilities, privileges, advantages, or accommodations to individuals with disabilities, unless the entity can demonstrate that making such modifications would fundamentally alter the nature of such goods, services, facilities, privileges, advantages, or accommodations;

- a failure to take such steps as may be necessary to ensure that no individual with a disability is excluded, denied services, segregated or otherwise treated differently than other individuals because of the absence of auxiliary aids and services, unless the entity can demonstrate that taking such steps would fundamentally alter the nature of the good, service, facility, privilege, advantage, or accommodation being offered or would result in an undue burden.

To be accepted, candidates for admission to colleges or universities must establish that they are "otherwise qualified" with or without reasonable accommodations.

Examples of reasonable accommodations in the classroom for students with various disabilities may include, but are not limited to, special seating, adapted laboratory or computer equipment, large print exams, use of a tape recorder or other assistive devices in class, extra time on exams, all notes not online provided by the professor, and a distraction free alternate test environment. Because people with similar disabilities may require different kinds of assistance, each student's needs are treated on a case-by-case basis.

A majority of Rensselaer students, registered with Disability Services for Students office, have a learning-related disability that is not visually apparent. Students with learning related disabilities demonstrate a high level of intelligence, but typically process information differently. Generally, extra time on quizzes, exams, and in-class assignments is the most common accommodation.

Rensselaer's Disability Services for Students (DSS) assists undergraduate and graduate students who have self-identified as having a diagnosed physical, psychological or learning-related disability. Students with disabilities are required to register with DSS at the beginning of each academic year, meet with DSS staff to request new or renew accommodations for that year, and be issued a letter to faculty for that year. Students must provide the required documentation, listed on the Rensselaer DSS website, to warrant any requested accommodations or changes to existing accommodations. Please note that a student's diagnosed disability including documentation is confidential and only shared on a "need-to-know" basis as determined by the DSS office.

A student, who has been granted a classroom accommodation, extended time or other disability-related request, is required to provide faculty with a Memorandum from the DSS Office that verifies their disability and reasonable classroom and instructional accommodations based on a thorough review of student records and documentation. The Memorandum assures faculty that the student's disability is documented and accommodations are consistent with state and federal equal opportunity laws and regulations.

Please be advised:

- The majority of Rensselaer students disclose the presence of a disabling condition prior to Student Orientation or by the first day of classes. However, some choose not to disclose a disability at any point during his/her tenure at the college. A faculty member is required to accommodate a student presenting a Memorandum to faculty letter signed by the Dean of Students or Assistant Dean of Students, Disability Services for Students. A student who claims a disability but does not present a Memorandum to faculty letter cannot be afforded any accommodation based on his/her disability. Please refer such students to the DSS office, Academy Hall, Suite 4600. It is recommended that an ADA compliance notification statement be included in all course syllabi:

Americans with Disabilities Act (ADA) Notification:

Rensselaer assures students with disabilities of nondiscrimination and provides reasonable accommodations to ensure equal opportunity in its programs and services as required by Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA), as amended in 2008 to be the ADA Amendments Act of 2008 (ADAAA). If you have a disability and wish to request accommodations in order to have reasonable access to the programs and services offered by Rensselaer, you must register with the Disability Services

for Students (DSS) Office, 518.276.8197 / dss@rpi.edu. Further information about services for students with disabilities and the accommodation process is available at <http://doso.rpi.edu/dss>.

- Faculty can **NOT** arbitrarily determine if accommodations within the memorandum provided are necessary or warranted. The determination of the nature of a disability and appropriate accommodations for that student involves an analysis of social, legal, medical and psychological information. Faculty members are expected to follow the accommodations as documented in the Memorandum provided to you by the student.
- If a student's letter indicated they are to receive extra time on an exam, faculty are obligated by law to allow the student extended time beyond the designated length of the test for students not receiving accommodations. This means there must be a set time limit for all exams so that the additional time for students receiving special test accommodations can be determined. If a faculty member chooses to provide additional time to all students in their class, the student receiving an accommodation for extra time must be given an equivalent amount of time to remain in compliance with their letter to faculty.
- Faculty should consult with students in the course who are granted extra time on quizzes, exams, and in-class assignments to create a plan to facilitate this accommodation. The plan should assure they will not miss any part of the instruction. For example, quizzes at the beginning of a class make it difficult for students receiving extra time because they finish later than the rest of the class and miss classroom instruction if continued without them, which is not acceptable.
- Students are responsible to self-identify by registering with Disability Services for Students and to communicate their needs to faculty. Some students with certain disabilities (i.e. Asperger's, Generalized Anxiety Disorder, and some medical disorders) find it difficult to discuss their needs and disability. If you encounter an issue with a student and believe they might be eligible and benefit from Disability Services, please refer that student to the DSS office. DSS staff will meet with the student to determine eligibility for services and, if warranted, assist the student with accommodations necessary for academic success.

For more information regarding disability services, please visit <http://doso.rpi.edu/dss/faculty> for additional *Tips on Working with Students with Disabilities in the Classroom* and/or *Why Extra Time is Necessary*.

If you have questions or student concerns, please contact Disability Services for Students, 518-276-8197, dss@rpi.edu, or the Dean of Students, Mark Smith, 276-6266, smithm@rpi.edu.