



**ACCOMMODATIONS FOR STUDENTS  
WITH DISABILITIES  
GUIDELINES 2020**

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You may use the 2020 WTCS Accommodations Guidelines in whole or in part, make copies, and distribute to others to assist the accommodation process for persons/students with disabilities.

## Acknowledgement

The Wisconsin Accommodations Guidelines was originally developed and composed by the WTCS Accommodations Committee in 1996 and updated in 2006 and 2013. The Wisconsin Technical College System thanks the following committee members for their efforts and dedication to the 2020 updated guide:

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The updated WTCS 2020 Accommodations Guide is strictly a guide, not a state policy or set of mandated accommodations. The individual technical colleges are responsible for establishing and implementing their ADA (Americans with Disabilities Act and Amendments) disability accommodation criteria, procedures, forms, etc. based on qualified and properly documented WTCS students with disabilities and their individual educational needs and goals.

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## WTCS Accommodation Guideline Introduction

The principal intent of this guide is to ensure that individuals with documented disabilities have equitable access to postsecondary education, within the Wisconsin Technical College System (WTCS). This guide aims to assist technical college staff and faculty in providing accommodations in instructional activities and service areas **without fundamentally altering the essential criteria/functions** of a program, course, or activity.

There are various federal and state laws that help ensure equal access for individuals with disabilities at the postsecondary level. These laws include, but are not limited to:

- a) The Americans with Disabilities Act (ADA) of 1990 & Amended Act of 2008
- b) Section 504 Rehabilitation Act of 1973
- c) Section 508-Federal IT Accessibility Initiative
- d) Wisconsin Act 124 Access Text Law
- e) Wisconsin Laws related to High School Transition

For more information on federal and state law regarding access and accommodations for students with disabilities see appendix B.

Each college has policies and procedures that staff and faculty need to become familiar with, for the provision of accommodations for equal access. Faculty and staff who do not follow institutional policies may risk being held personally liable for any discriminating acts in violation of federal statutes and regulations.

Program and/or class accommodations for students with disabilities have been typically regarded by educators as good educational practices for **all** students. This Guide also includes Universal Design for Learning (UDL) instructional strategies for that purpose.

Disability services staff, faculty, and students each have responsibilities in ensuring reasonable accommodations are implemented and provide equal access. A collaborative approach is vital for success in this process. This guide will assist WTCS staff/faculty and students in attaining the goal of equal access in an atmosphere of cooperation.

## **Definitions based on ADA**

### ***Person with A Disability***

An individual with a physical or mental impairment that substantially limits one or more major life activities; an individual with a record of such an impairment; or an individual who is regarded as having such an impairment.

### ***Major Life Activities***

May 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. Major life activities also include 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.

### ***Qualified Person with A Disability***

Means an individual who, with or without reasonable accommodation, can perform the essential functions of a course or academic program.

### ***Reasonable Accommodation***

Could be an adaptation, device, or piece of technology that allows access to a learning activity for a student with a disability. They are outcome neutral and are not intended to provide any advantage over a nondisabled student or to provide any guarantee of success in a class or program. Reasonable accommodations include, but are not limited to, having exams read to a student, the use of adaptive software, and preferential seating.

Postsecondary institutions providing individually prescribed devices modified grading scales, personally fitted equipment, and personal attendants would not be examples of reasonable accommodations.

## **Policies and Procedures for Disability-Related Accommodations**

Each WTCS district has developed policies and procedures that establish guidelines for individuals to obtain disability-related accommodations. Check with your local technical college district for specific policies and/or procedures that have been implemented. Due to differences in laws, the roles and responsibilities of students with a disability shifts as they transition from high school into post-secondary institutions. Students are responsible for disclosing their disability, providing documentation, communicating with disability service personnel, and advocating for their needs. The following items summarize key features or components of ADA/504 requirements of postsecondary institutions.

### ***Scope of Responsibility***

ADA and Section 504 of the Rehabilitation Act are civil rights laws that prohibit discrimination in college recruitment, admission, or treatment of students with disabilities. All programs, services, activities, and facilities must be accessible to people with disabilities.

### ***Coordination of Services***

Each college must designate a person/department responsible for the coordination and provision of disability-related services.

### ***Interactive Process***

The institution and the student have shared responsibility for identification of barriers to access and provision of reasonable accommodations through a collaborative interactive process. The college and its staff must provide accommodations in a timely, effective manner at no cost to the student. The student must notify the appropriate college staff of the need for accommodation.

### ***Confidentiality***

The college cannot make pre-admission inquiries regarding an applicant's disability status. Students have privacy and confidentiality protections. Disability-related information should be maintained separate from the student's official file. In accordance with FERPA (Family Educational Rights and Privacy Act) regulations, disability information is protected, and access should be limited. Additional information about confidentiality of student records is available in this reference guide: [WTCS Guide for Student Records Confidentiality](#).

### ***Documentation of Disability***

The college can require appropriate documentation of a disability if a student requests a disability-related accommodation. The student has responsibility for disclosing and providing documentation of the disability. There are no federal standards on documentation of a disability; documentation requirements and practices are determined by individual postsecondary institutions. For Wisconsin, additional guidelines regarding documentation of a disability are available in this reference: [Wisconsin Disability Documentation Guide](#).

### ***Implementation of Accommodations***

Determination of reasonable accommodations (type and level) for a qualified person with a disability is a primary responsibility of a "Disability Services Office" at the local college. Students might request accommodations directly from an instructor. In this case, the student should be given the contact information or directly referred to the Disability Services office for eligibility. Individualized accommodation plans are shared with appropriate faculty and staff for facilitating equal access;

specific disability information is not shared without expressed permission. Instructors are encouraged, when in doubt, to contact the “Disability Services Office” to clarify any concerns related to the student’s accommodation requests. We encourage open communication among instructor, student, and disability services staff.

### ***Appeal Process***

A student who disagrees with a decision regarding a requested or ineffective accommodation can file a complaint. A procedure for filing complaints must be published and accessible to students. Check your local technical college for the complaint/grievance procedures that have been developed. An individual instructor can be held liable for not providing the designated accommodations.

## Instructional Strategies

Frequently, when faculty members meet the students in their classes, they are unaware of the learning needs, abilities, or hidden disabilities of all those students. Students who present accommodation plans can be accommodated with the assistance of the disability services office. However, college classes are comprised of many students with a wide variety of learning strengths and weaknesses, including students with disabilities. The top priority of instruction should be to maximize the learning of all students by building strategies, opportunities, and alternatives into the instructional design of the class.

This section is divided into 2 parts: Universal Design for Learning (UDL) – Instructor Strategies for the Classroom and Program and/or Class Accommodations for Students with Disabilities.

### **Universal Design for Learning (UDL) - Instructional Strategies for the Classroom That Benefit All Students**

The field of universal design can provide a starting point for developing an inclusive model for instruction. Universal Design for Learning (UDL) is not about finding one universal way to instruct students. Rather the goal of UDL is to use a VARIETY of teaching methods so that barriers to learning are removed and all students are given equal opportunities for success.

UDL is based on three main principles and can be used as a framework to develop learning and assessment materials.

- a) Representation (what of learning)- offering information in more than one format. Example auditory vs visual information
- b) Action and Expression (how of learning)- allowing students more than one way to interact with material (paper pencil test vs project)
- c) Engagement (why of learning)- Finding multiple ways to motivate students by optimizing relevance

Universal design principles can apply to all aspects of the learning environment. Below is a list with examples of instructional strategies that make course content and activities accessible to people with a wide range of abilities, disabilities, ethnic backgrounds, language skills, and learning styles. Instructors should consider those strategies which best enhance the learning of all students. New educational technology is rapidly developing, these technology enhancements should not be considered as all-inclusive.

#### ***Beginning the Class***

- a) Provide syllabus in advance that includes a statement of accommodations. Read through the syllabus the first days of class going through the schedule week by week. The syllabus should be offered in multiple formats (printed, PDF, Word, MP3, Braille, enlarged print, etc.).
- b) Offer students confidential options for providing the instructor with pertinent information on needs they have or barriers they may face in the class.
- c) Post **all** class information in the Learning Management System.
- d) Verify that all off-campus activities (assignments, internships, practicums, field trips, conferences, and competitions) are accessible. Consider alternatives for participation in required off campus activities due to student time constraints (disability, childcare, work, etc.).

### ***Assignments***

- a) Offer and communicate assignments in a variety of ways (lecture, examples, handouts, online, on the board). Verify that all assignments are accessible (can be used with a screen reader, are fillable forms, etc.). Announce all assignments well in advance and provide alternatives to written work.
- b) Provide **all** students with the option to use devices for in-class work to allow students with disabilities to access their approved assistive technology confidentially.
- c) Consider alternatives to group assignments if group-based work is not an essential function of the class.
- d) Offer students summaries such as study guides and vocabulary lists.

### ***Lecture/Lab***

- a) Begin class with a review of the previous lecture and an overview of topics to cover that day. Lecture for a short period of time then check for understanding and explain technical language/terminology.
- b) Audio/Video record lectures so that students can revisit the content provided. Also allow students to record the lecture. A microphone should be used to enhance volume and clarity; speak clearly and at a relaxed rate, pausing to allow students time for note-taking and questions.
- c) Use closed captioning, visual aids such as diagrams, charts and graphs; use color to enhance the message.
- d) Be familiar with and sensitive to cultural diversity regarding verbal and nonverbal communication.

### ***Distance Learning/Online Classes***

- a) Consider in advance how and where accommodations will be provided- consult with Disability Services office about accommodations.
- b) Recognize the barriers some students may have with technology. Provide contact information for computer-related troubleshooting.
- c) Verify that web-based instruction is accessible.

### **Program and/or Class Accommodations for Students with Disability**

When serving students with documented disabilities, faculty must comply with Section 504/ADAAA to ensure equal access to education. A student requesting accommodations, auxiliary aids, and/or support services, needs to provide documentation of disability verifying eligibility for services to the Disability Services Office in a timely manner. Some students choose to keep their disability confidential and do not request accommodations or support services from the educational institution.

**It is the student's responsibility to advocate for accommodations and utilize them. If a student discloses a disability to faculty, faculty should assist the student in contacting the school's disability services office.**

Accommodations are determined through an interactive process by the Disability Services Office in collaboration with the student with a disability. Instructors/faculty should receive written notification of approved accommodations before any accommodations are provided. We encourage open communication between instructor, student, and disability services staff during this process. Instructors/faculty with concerns about approved accommodations should contact the Disability Services Department.

***As an instructor, I see that a student has a disability/or the student has requested accommodations stating they have a disability. What is my next step?***

Instructors should include a statement on their syllabus referring students to Disability Services. Please connect with Disability Services as they may have a syllabus statement for you to use. If a student were to request accommodations without an Accommodation Letter, have the student connect with Disability Services. It may be helpful to have a business card for Disability Services, call the office together or offer to walk the student to the office.

Instructors are encouraged to review Accommodation Letters/Plans and direct questions or concerns to the Disability Services office. Instructors that either do not provide approved accommodations or provide accommodations that have been not been approved by Disability Services may be held personally liable for violations of state and federal guidelines.

***I have been notified that an interpreter will be present in my course. What are my responsibilities as an instructor?***

Interpreters are provided as an accommodation for qualified individuals. Information on interpreter, instructor, and student responsibilities is in Appendix C. Please connect with your institution's Disability Services with additional questions.

***I have a student who has brought an animal into my course. The student states that the animal is a Service Animal, but it isn't on the Accommodation Letter. What do I do?***

Service animals assisting individuals with disabilities are generally permitted in all educational facilities and programs. Service animals may be excluded from some locations when their presence poses a direct threat to health and/or safety; contact the institution's disability services office for questions and concerns. Additional restrictions may apply, under the authority of the Americans with Disabilities Act and State guidelines. Service animals are defined as a dog or other animal that is trained, and/or is in the process of being trained, to do work or perform specific tasks for people with disabilities.

An animal that is exclusively used to provide an emotionally supportive therapeutic service does not meet the definition of a service animal and is considered an emotional support animal. Contact the educational institution's Disability Services department for questions about the process to bring an Emotional Support Animal onto campus.

Students are not required to register their Service Animal with the Disability Services Office. Therefore, the Service Animal may or may not be listed on the Accommodation Letter. The presence of a Service Animal should not be considered an invitation to ask questions about the disability of the student. We ask our technical college community to respect the rights of those who use Service Animals. However, if you have questions please reach out to your institution's [Disability Services Office](#).

If there are student accommodations that you have not encountered before, your institution's Disability Services Office is always willing to answer any questions you may have.

## Frequently Asked Questions About Accommodations

The purpose of this section of the Accommodations for Students with Disabilities Guidelines is to answer frequently asked questions regarding accommodations. If you have further questions or needs, please contact your institution's [Disability Services office](#).

### ***Does a student have to provide documentation of a disability to request accommodations? If so, what documentation needs to be provided?***

Students are required to provide documentation of disability to assist the process of determining accommodations. Each institution may have specific guidelines for disability documentation. It is encouraged that students reach out to the institution to determine what documentation they need to provide prior to starting school, or as soon as barriers are recognized. More information on this topic can be found in the [Disability Documentation Guide](#).

### ***Besides providing documentation of a disability what is the student's responsibility?***

- a) Students should reach out to the Disability Services office prior to attending, or as soon as barriers are recognized, to determine what documentation they need to provide and how to obtain accommodations.
- b) It is the student's responsibility to notify each instructor of their accommodation plan.
- c) It is the student's responsibility to contact the Disability Services office if there are any problems, questions or concerns related to disability.

### ***I graduated 15 years ago and received Special Education services in High School. I no longer have any of the paperwork and do not have money for an evaluation. What can I do to receive accommodations?***

Students need to provide documentation of disability and functional limitations to receive accommodations in a post-secondary institution. Students may consider the following for sources of documentation:

- a) Contact the local Division of Vocational Rehabilitation (DVR) Office and meet with a DVR counselor.
- b) Meet with your treating physician to see if they have any record of your diagnosis from high school.
- c) Connect with the Disability Services office for local resources.

It is worth noting that there are specific credentialing requirements to score and interpret diagnostic tests for disabilities. Therefore, it is out of the scope of practice for post-secondary institutions to diagnose or conduct testing.

### ***I have a disability and I feel that I should be exempt from taking any type of placement tests/assessments because of my disability. Can I receive an exemption or a waiver of these tests?***

If an assessment/test is required as part of the admission process, all students are required to take the assessment regardless of their disability. Placement tests/assessments are administered to assist in determining placement in courses/achievement. Federal law requires accommodations be made to allow equitable access for a student with a disability to participate if those accommodations do not fundamentally alter the test.

To discuss what accommodations may be available for the assessment, contact the institution's Disability Services office. Accommodations may include, but are not limited to, extended test time, reduced distraction test environment, and alternate format (I.e. Braille, hard copy).

***What is the cost of receiving accommodations?***

Accommodations provided by the school are at no cost to the student. The exception to this is if there are consumables provided such as notebooks, batteries, or tape. Additionally, students can check out equipment and if this is not returned by the due date then a cost could be incurred.

***What accommodations are post-secondary institutions required to provide?***

The accommodation process is interactive, allowing the Disability staff and student to determine the barriers that the student may encounter in the college setting. Each request is reviewed individually, and accommodations are approved depending on disability, barriers, and the program/course. This may mean two individuals with the same disability could receive different accommodations as they experience different barriers/functional limitations.

***What role does the Individualized Education Program (IEP) team have in determining accommodations for the a high school student who is dual enrolled and attending a Wisconsin Technical College?***

A student's IEP team plays a key role in the process of identifying and requesting services for the student while attending a technical college. The technical college, through the Disability Services Coordinators/Staff, determines the type, level, and duration of ADA/504 accommodations. This is accomplished through discussions and mutual agreement with the K-12 School District. The technical college is not legally obligated to provide all the services in a student's IEP.

***In high school I utilized an interpreter, is this something that I can receive for my college courses?***

Interpreters are provided as an accommodation for qualified individuals. Please connect with your institution's Disability Services Office to discuss this accommodation. Information on interpreter, instructor, and student responsibilities is in Appendix C.

***Do the accommodations listed in the dually enrolled student's IEP automatically apply to college classes?***

The IEP does not continue to college or the workplace. Some accommodations provided at the high school may be appropriate at the college level. However, the college's Disability staff member will review a student's accommodation request and disability-related documentation to determine if the requested accommodation is reasonable for the dual enrollment course in which the student is currently enrolled at the college.

***Is a dually enrolled high school student with a disability held to the same grade and behavior requirements as other students?***

The dually enrolled high school student will be held to the same grade and behavior requirements as other students. All high school students taking classes at any of the technical colleges are to follow the Student Handbook, including the Student Code of Conduct and other pertinent policies and procedures.

***In high school, my parents were able to access my disability and academic information. Will this continue when I am enrolled in college courses (dual enrollment, high school academy, Start College Now, etc.)?***

Students enrolled in college credit courses are protected under Family Education Rights and Privacy Act (FERPA). This means that college staff are not able to release any information to anyone except the student without a signed release. Click on the word [link](#) to take you to the release form.

***If a student receives accommodations, does that mean they are exempt from completing all coursework or courses in a program?***

Post-secondary institutions are **not** required to waive any course or program requirements. Students with disabilities are responsible for meeting the academic requirements of the class/program enrolled and abiding by the policies outlined in their class syllabi.

***I did not have my accommodations set up in the beginning of the semester. Can I redo tests and assignments with my accommodations now?***

Accommodations cannot be used retroactively (to complete tests, quizzes, assignments, etc.). Students are encouraged to set up their accommodations as soon as possible.

***I have a medical condition that requires me to leave the room during class time; will this impact my participation or attendance grades?***

This can be written as part of an accommodation plan if there is documentation supporting the request.

***Can I request assessments in an alternative format?***

Typically, this request can be written as part of an accommodation plan with supporting documentation. There are platforms that do not allow alterations in format; additional accommodations will be considered in these instances.

***My son or daughter has had a personal or educational aide with them in their classes in high school. Will one be provided at the post-secondary level?***

Post-secondary institutions are not required to provide students with aides. Disability Services will assess the function of the aide in the classroom and determine if it is appropriate. If determined to be appropriate, students must provide or hire these services at their own cost.

***Will I be able to receive accommodations at a clinical/fieldwork site?***

Accommodations can be provided at a clinical/fieldwork site. However, it should be noted that the accommodations may differ from those that are received in the classroom setting. Accommodations received at a clinical/fieldwork site will be determined collaboratively and include the student, instructor(s), Disability Services, the clinical site, and invested stakeholders.

***I have a disability that may prevent me from attending class. Can I receive an accommodation to miss class?***

A student working with Disability Services may also qualify for consideration of class absences. This accommodation is typically granted to a student who has a documented chronic health condition where attending class would be detrimental to their health. The student is still responsible for completing all coursework.

The Disability Services office will determine the appropriateness of the accommodation for a specific course based on the essential functions and state/accreditation requirements. If the student is approaching the number of absences approved, it is their responsibility to consult with Disability Services and their instructor to determine what options are available. The accommodation is not a free pass for students to miss class; absences related to disability may need verification. Please contact the institution's Disability Services office to receive information about the process to receive this accommodation

***Are schools required to provide accommodations for pregnant students?***

Under the federal Title IX law, it is illegal for colleges to exclude a pregnant student from participating in any part of an educational program. In addition, educational institutions must excuse a student's absences because of pregnancy, childbirth, miscarriage, abortion, and/or recovery for as long as the student's medical provider deems the absences medically necessary. That could mean a few absences for necessary medical appointments or a longer leave of absence for a high-risk pregnancy or childbirth. A student must be allowed to return to the same academic and extracurricular status as before the medical leave

began. Breastfeeding mothers are also protected under Title IX. If a student must miss class to nurse or pump, the absence should be excused, and the absence should not be penalized. If the pumping schedule interferes with classes, the student may need to provide a note from a medical provider stating that it is medically necessary to pump on a certain schedule. Please consult with the college's Title IX Pregnancy and Parenting Specialist for next steps in accessing accommodations.

### ***Are service animals allowed on campus?***

Service animals assisting individuals with disabilities are generally permitted in all educational facilities and programs. Service animals may be excluded from some locations when their presence poses a direct threat to health and/or safety; contact the institution's disability services office for questions and concerns. Additional restrictions may apply, under the authority of the Americans with Disabilities Act and State guidelines. Service animals are defined as a dog or other animal that is trained, and/or is in the process of being trained, to do work or perform specific tasks for people with disabilities.

An animal that is exclusively used to provide an emotionally supportive therapeutic service does not meet the definition of a service animal and is considered an emotional support animal. Contact the educational institution's Disability Services department for questions about the process to bring an Emotional Support Animal onto campus.

### ***How many times can I retake a course?***

Refer to policies and procedures from your college program. If you are in ABE/ELL courses refer to your college policy regarding ABE/ELL. Disability services offices do not determine this.

### ***Will I receive the same accommodations at the post-secondary level that I received in high school?***

The laws that govern accommodations in high school are different than those that govern post-secondary institutions. The accommodations provided in a post-secondary environment are meant to provide equitable access.

At the post-secondary level, you may receive some of the same accommodations that you did in high school. There are some accommodations that are not provided at a post-secondary level as it would fundamentally alter the course. All students must meet the course competencies in order to graduate with a degree.

Below is a list with accommodations that are frequently K-12 approved but may or may not be reasonable in the post-secondary setting. Please contact Disability Services for questions and to further discuss accommodations that could be implemented for you.

### ***Accommodations that are not reasonable in the post-secondary environment***

- a) **Adapted grading scale:** This would be a fundamental alteration of the course.
- b) **Advanced warning of assignments:** It is the responsibility of the student to regularly review the course syllabus.
- c) **Extended due dates on assignments and exams:** Instructors may reserve the right to make exceptions to this based upon unexpected circumstances due to disability or health condition.
- d) **Modify length of written assignments:** This would be a fundamental alteration of the course.
- e) **Tutor Assigned:** Many campuses have tutoring available to all students. If a student requires tutoring beyond this, it would be the student's responsibility to obtain a tutor.
- f) **Adapted tests and quizzes such as word bank, no short answer questions, or reduced questions:** This would be a fundamental alteration of a course.
- g) **Able to use notes and books on tests:** This is not reasonable as an accommodation, but an

instructor may allow the entire class to use these materials.

***Accommodations that may be reasonable in the post-secondary environment***

- a) **Notes for lectures:** The instructor or a note taker will provide notes to the student. There may be assistive technology options available as well.
- b) **Test given to students in sections:** Typically, Disability Services will work directly with the instructor to determine how the sections will be split.
- c) **No penalty for incorrect spelling:** This may be a reasonable accommodation, but if spelling is related to a course competency then it is not an appropriate accommodation. However, assistive technology may be provided.
- d) **Orally read course material:** Software may be used to read material to the student.
- e) **Different test area:** This is a reasonable accommodation.
- f) **Test read to individual:** Software may be used to read material to the student.
- g) **Use of calculator on tests to measure math skills:** This may be a reasonable accommodation, but if calculation is a course competency then it is not an appropriate accommodation.

# Appendix

## Appendix A: Resource Websites

ADA Wisconsin Partnership -[www.adawipartnership.org](http://www.adawipartnership.org)

Association on Higher Education and Disability -<https://www.ahead.org/home>

Before Age 18 - <https://beforeage18.org/>

Council for Exceptional Children-The Voice and Vision for Special Education -  
<https://www.cec.sped.org/Special-Ed-Topics>

Disability Rights WI -<https://www.disabilitytraining.com/index.php>

Program Development Associates -[www.disabilitytraining.com](http://www.disabilitytraining.com)

U.S. Department of Labor Office of Disability Employment Policy -<https://www.dol.gov/odep/>

Disabilities, Opportunities, Internetworking, and Technology (DO-IT) Access College: Faculty Room -<https://www.washington.edu/doit/programs/accesscollege/faculty-room/overview>

U. S. Equal Employment Opportunity Commission (EEOC) -<https://www.eeoc.gov/>

Great Lakes ADA & IT Center -<http://www.adagreatlakes.org/>

HEATH Resource Center at the National Youth Transitions Center -<https://www.heath.gwu.edu/>

International Center for Disability Resources on the Internet -<http://www.icdri.org/>

Job Accommodation Network (JAN) -<https://askjan.org/>

Lets Get to Work -<http://www.letsgettoworkwi.org/index.php/trainings/>

National Alliance on Mental Illness Wisconsin - <https://namiwisconsin.org/>

National Braille Association -<https://www.nationalbraille.org/>

National Deaf Center - <https://www.nationaldeafcenter.org/>

National Federation of the Blind -[www.nfb.org](http://www.nfb.org)

National Organization on Disability (NOD) -[www.nod.org](http://www.nod.org)

National Organization of Nurses with Disabilities -<https://nond.org/>

O\*NET Online -<http://www.onetonline.org/>

UDL-Universe: A Comprehensive Faculty Development Guide -<http://enact.sonoma.edu/udl>

U.S. Access Board -<https://www.access-board.gov/>

Wisconsin's Assistive Technology Program (WisTech) -  
<https://www.dhs.wisconsin.gov/disabilities/wistech/index.htm>

WI Association on Higher Education and Disability -<http://www.wiahead.org/>

WI Statewide Transition Initiative-WSTI -[www.wsti.org](http://www.wsti.org)

WI DOH Services Blind/Visually Impaired Information and Services -  
<http://www.dhs.wisconsin.gov/blind/>

WI DHS Office for the Deaf and Hard of Hearing -<https://www.dhs.wisconsin.gov/odhh/index.htm>

WI DHS Disabilities and Impairments -<http://www.dhs.wisconsin.gov/disabilities/>

WI DPI Special Education -<https://dpi.wi.gov/sped>

WI DPI Transition Planning - <https://dpi.wi.gov/sped/topics/transition>

WI Division of Vocational Rehabilitation (DVR) -<https://www.dwd.wisconsin.gov/dvr/>

WI Department of Veterans Affairs -[www.dva.state.wi.us](http://www.dva.state.wi.us)

WI Technical College System (WTCS) - <https://www.wtcsystem.edu/>

WI Technical College System (WTCS) Disability Services -  
<https://mywtcs.wtcsystem.edu/student-success/student-services/disability-services>

## **Appendix B: State and Federal Legislation**

There are several Federal and State laws that affect persons with disabilities in the postsecondary setting.

### **Americans With Disabilities Amendments Act Amended (ADAAA)**

Perhaps the most widely known legislation regarding disabilities, this act passed in 2008, updated and reestablished the intent of the original ADA of 1990. More comprehensive than Section 504, both the original ADA and ADAAA prohibit discrimination against persons with disabilities in most areas of public life including employment, government facilities, schools, transportation, stores, restaurants, hotels, and telecommunications.

The ADAAA provides a well– established definition of disability:

- a) An impairment that substantially limits one or more major life activities
- b) A person with a record of such an impairment
- c) Or a person being regarded as having such an impairment.

The ADAAA also defines major life activities as: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Major life activities also include bodily functions relating to the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproduction.

This list is not exhaustive; individuals may have impairments in other areas of their lives not stated in this list.

Case law and court rulings between 1990 and 2008 had significantly restricted those who could qualify under the original ADA and prompted Congress to amend the original ADA to ensure the law's original intent. Defining disability in a broad sense without requiring individuals to go to exhaustive measures to document their disability was specifically addressed in the ADAAA. Temporary impairments as well as those that might have mitigating measures were now also specifically included as eligible.

In practice, a significant philosophical shift was made to focus more on how to accommodate persons with disabilities rather than determining if they qualified as having a disability.

### ***Section 504***

Section 504 was passed in 1973. It is Federal legislation that prohibited any organization receiving federal funding from discriminating among people based solely upon disability. It is still applicable some 40 years later and was the basis for subsequent legislation. Several prohibitions were established under Section 504. Specifically, postsecondary institutions could not:

- a) Limit the number of students with disabilities admitted
- b) Ask a student if they had a disability before admitting them
- c) Use inaccessible admissions procedures
- d) Exclude a student from a course of study based solely upon their disability
- e) Counsel students with disabilities toward more restrictive careers
- f) Use inaccessible means to measure student achievement
- g) Use policies making achievement even more difficult for students with disabilities

### ***Individuals with Disabilities Education Act (IDEA)***

IDEA is a federal law and is more commonly known as the Special Education law. It only applies to students in the K-12 system and is meant to ensure that all children receive a free and appropriate public education. Specific programming and services for students with disabilities, at no cost to the student or parent, must be provided by each school district under IDEA that includes:

- a) The identification and evaluation of students suspected of having a disability
- b) The least restrictive environment in which services can be provided
- c) An Individualized Education Plan (IEP)
- d) Due Process
- e) Summary of Progress (SOP)
- f) Under WI law transition starts at age 14

Special Education under IDEA is characterized as an entitlement program for individuals that meet eligibility requirements. Eligibility under IDEA remains as long as a person is eligible to receive a free and appropriate public education, typically through an individual's 21<sup>st</sup> year or upon graduation or completion of high school.

### ***Section 508/Rehabilitation Act***

This piece of federal legislation addressed accessibility of electronic devices and software including web page use and web applications, technologies unknown at the time of the original passage of Section 504 in 1973. As with Section 504, it encompasses federal agencies and those who receive funding from the federal government. Section 508 applies to technologies used by employees in these organizations as well as members of the public who interact with them.

Specific technical standards are included in Section 508 that outline compliance.

### ***Wisconsin Act 124***

Act 124 is a Wisconsin law that requires publishers to provide alternate and accessible textbook materials to students with disabilities attending any public postsecondary institution within the state. (Wisconsin Technical College System, University of Wisconsin and Wisconsin Association Independent College University.) The Act covers printed course materials that are deemed required or essential to success in the course. Application procedures, timelines, and clarification of alternate formats were also included.

### ***Apprenticeship- Wisconsin***

It is unlawful to discriminate against a qualified applicant or apprentice because of their disability status or need for a reasonable accommodation. Sponsors must keep records of reasonable accommodation requests from their apprentices and review their procedures for reasonable accommodations on an annual basis (269). In addition, apprenticeship is a form of employment. Employers are required to provide reasonable accommodations as outlined under the Wisconsin Fair Employment Law.

To determine the appropriate reasonable accommodation, it may be necessary for the sponsor to initiate an informal, interactive process with the qualified individual in need of the accommodation. This process should identify the precise limitations resulting from the disability and potential reasonable accommodations that could overcome those limitations  
Examples of reasonable accommodations include:

- a) Making existing facilities used by apprentices readily accessible to and usable by individuals with disabilities.
- b) Job restructuring; part-time or modified work schedule; reassignment to a vacant position; acquisition or modification of equipment or devices; appropriate adjustment or modifications of examinations, training materials, or policies; the provision of qualified readers or interpreters; and other similar accommodations for individuals with disabilities.

### ***GED/HSED Accommodations***

A student may ask for testing accommodations for a physical or mental impairment that may affect their ability to take the test, including learning disabilities, ADHD, psychiatric or psychological conditions, and physical/chronic health conditions. They will need relevant medical or academic records and a current evaluation of their condition by a doctor or psychologist, plus a detailed letter or report from the evaluator. The student will also need to fill out an Accommodations Request Form for either ADHD, Emotional/Mental Health, Learning Disabilities, Intellectual Disability, or Health Disabilities, which has sections for the student, the GED Chief Examiner, and their evaluator or advocate. For more information on [testing accommodations guidelines](#) and [GED process](#), please select the respective links.

### ***Start College Now***

Allows qualified high school students to attend a technical college. For more information regarding [Start College Now](#) and students with disabilities, please select the respective link.

### ***Transcribed Credit***

Students with disabilities who need accommodations may participate in a transcribed credit course offered at the high school. The full college course is taught, and a college transcript is generated. Students receive both high school and college credit for the course, this is referred to as "[Dual Credit](#)".

DPI and the WTCS encourage schools and colleges to collaborate on reasonable accommodations as specified in the DPI and WTCS Dual Enrollment and Disability document.

## **Appendix C: Sign Language Interpreters in the Classroom**

WTCS would like to thank the following individuals for updating this section of the Disability Accommodation Guide:

Erin Poeschel, Chippewa Valley Technical College  
Jana Mauldin, Madison Area Technical College  
Kris Follansbee, Western Technical College  
Lisa Sadowski, Gateway Technical College  
Sarah Malewicki, Waukesha County Technical College

An interpreter is a licensed and credentialed professional in the field of sign language interpreting and Deaf culture. They facilitate communication between people who use sign language and those who do not. Interpreters conduct themselves in a manner consistent with their Code of Professional Conduct and abide by College policies as well as the regulations set forth in the Family Educational Rights and Privacy Act (FERPA).

### ***Interpreter Responsibilities***

- a) Facilitate communication and convey all auditory and signed information so that both hearing and deaf individuals may fully interact.
- b) The interpreter is not a teaching assistant, advisor, test proctor, participant, note taker, personal care worker or there to evaluate the instructor's or students' performance.

### ***Instructor Responsibilities***

- a) Add interpreters to LMS (Blackboard, Canvas, etc.) and listservs.
- b) Share course syllabus, textbooks, course materials, and announcements.
- c) Allow time for students to process and learn. Interpreting, like learning, requires processing time and may be a few words or sentences behind the speaker. Pauses will allow all students an equal opportunity to respond to questions or participate in discussions.
- d) Encourage all participants to take turns while speaking. Repeat or paraphrase questions and comments.
- e) Look directly at the person with whom you are communicating, not the interpreter.
- f) Avoid talking when students are focused on another assigned task.
- g) Ensure all course materials are accurately closed captioned according to College policies\* (YouTube auto-generated captions are not considered accessible.)

### ***Student Responsibilities***

- a) Notify instructor of accommodation plan and communication preferences.
- b) Communicate with instructor and Disability Office when accommodations are not provided or effective.
- c) Adhere to all course/testing expectations and College policies.

\*Wisconsin Technical Colleges adhere to the laws of the ADA and section 508 of the Rehabilitation Act stating no media can be shown in the classroom, at college events, or on our website without access to accurate closed captioning. Auto-generated captions from YouTube are not considered accessible as they typically do not have punctuation and capitalizations. For information on getting your videos captioned, contact your Disability Support Services department.