The right of students with disabilities to appropriate test access and accommodations is guaranteed by the following federal laws and regulations:

- Individuals with Disabilities Education Act (IDEA) including the Individuals with Disabilities Education Improvement Act of 2004;
- Parts 100 and 300 of the Code of Federal Regulations;
- Elementary and Secondary Education Act (ESEA), Title I (No Child Left Behind (NCLB));
- **Section 504 of the Rehabilitation Act of 1973; and**
- **Americans with Disabilities Act (ADA) of 1990 Title II**

What is a "reasonable accommodation"?

Under the Americans with Disability Act and Section 504 of the Rehabilitation Act, a reasonable accommodation will be implemented as long as it is medically necessary (there is competent medical evidence establishing a relationship between the disability and the need for accommodation) and the accommodation does not impose an undue financial hardship or burden; does not pose a direct threat to the health or safety of others; and does not make a substantial change in an essential element of the curriculum or a substantial alteration in the manner in which the service is provided.

The goal of reasonable accommodation is to give students with a disability the opportunity to demonstrate abilities and equal access to the learning environment. Individualized accommodations are not designed to give the student an advantage over other students, to alter a fundamental aspect of the course, or weaken academic integrity.

Accommodations for students are tailored to the individual and the documented disability. The following are examples of classroom, assignment, and examination accommodations that may be recommended for a student with a disability.

**Examples of Classroom and Assignment Accommodations**

- Note takers—alternatively, you can provide the student with a copy of your lecture notes or outline
- Allow the student to tape record lectures
- Allow the student additional time to complete in-class assignments
- Use of support chairs in the classroom
- Provide feedback and assist the student in planning the workflow of assignments
- Use of alternative technologies JAWS, PEARL, Zoom Text (visual aid programs) or Key by Ability (fine motor aid)
- List the steps/procedures for multi-step problems. Post clearly numbered steps, and/or give students a desk-copy model of steps needed to solve problems
- Keep sample problems on the board, and have students write them in a notebook for reference
- The use of scratch paper to work out problems
- Talking calculators
- Fractional, decimal, and statistical scientific calculators
- Computer Assisted Instruction (CAI) software for math
- Computer Assisted Design (CAD) software for engineering
- Large display screens for calculators and adding machines
- Service Animal
- Interpreters (sign or visual)
- Preferential seating
- Flexibility in attendance
Classroom and Assignment Accommodations-Continued

- Captioning Services (CART)
- Books on tape

Examination Accommodations
The purpose of testing accommodation is to enable students with disabilities to participate in assessment programs on an equal basis with their nondisabled peers.

Testing accommodations are not intended to alter the construct of the test being measured or invalidate the results; provide an unfair advantage for students with disabilities over students taking tests under standardized conditions; or substitute for knowledge or abilities that the student has not attained.

Testing accommodations provide an opportunity for students with disabilities to demonstrate mastery of skills and attainment of knowledge without being limited or unfairly restricted due to the effects of a disability. Test accommodations may include:

- Extended exam time, typically time and one half to double time
- To take exams in a room with reduced distractions
- The assistance of a reader, scribe, interpreter, or word processor for exams
- The option of an oral exam
- Use of a calculator for math-based exams...numerical skills tests and non-graphing scientific calculators for elementary, intermediate and college algebra
- Use scratch paper during exams
- Use of note cards
- For students with short term memory problems (e.g., understand processes, but have short term memory problems that interfere with remembering facts) a table of facts could be provided

"Undue Hardship"...what is an unreasonable accommodation?

There are three kinds of accommodations that are not considered reasonable:

1. If making the accommodation or allowing participation poses a direct threat to the health or safety of others
2. If making the accommodation means making a substantial change in an essential element of the curriculum or a substantial alteration in the manner in which you provide your services
3. If it poses an undue financial or administrative burden

Reasonable testing accommodations are changes made in the administration of the test in order to remove obstacles to the test-taking process that are presented by the disability without changing the constructs being tested.

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Testing modifications which allow changes to be made to the testing process or to the content of the assessment itself; or provision of certain adaptive technologies or services; that affect the constructs being tested. Examples of testing modifications that affect the construct of the test are:

- reading of items designed to test the student's reading skills
- use of spell and/or grammar-checking devices on a test of the student's writing skills
- use of a calculator on a test of the student's computational skills
- extra test time if the purpose of the exam to measure ability to perform tasks in a specified time
Students Responsibilities

- Present instructor(s) with their Letter of Accommodation (LOA)
- Discuss academic accommodations in relationship to course syllabus and curriculum standards
- Organize test accommodations with instructor(s) and disability support services three to two days prior to scheduled test date

Referenced Resources

- The Learning Disabilities Association of Texas
- Academic Accommodations for Students with Learning Disabilities
  DO-IT (Disabilities, Opportunities, Internetworking, and Technology) serves to increase the successful participation of individuals with disabilities in challenging academic programs such as those in science, engineering, mathematics, and technology. Primary funding for DO-IT is provided by the National Science Foundation, the State of Washington, and the U.S. Department of Education. 2009, 2008, 2007, 2004
- The Faculty Room
- Learning Disabilities Association of America
  4156 Library Road
  Pittsburgh, PA 15234-1349
  Phone (412) 341-1515 | Fax: (412) 344-0224
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- Helping Students Navigate Academic Success-Dr. Paul and Kimberly Noting Copyright 2011
- What is a Reasonable Accommodation by Janie E. Jarrow, Ph.D. excerpted from Higher Education and the ADA: Issues and Perspectives, (DAIS, 1997)

Additional Referencing Sites

1. EEOC Enforcement Guidance: Reasonable Accommodation & Undue Hardship Under ADA
2. www.usdoj.gov/crt/ada/adahom1.htm