



Handbook for Students with Disabilities

Jennifer Lucero, M.S.Ed.

Coordinator of Disability Services & Testing Center

Black Hills State University

Located on the First Floor of the Jonas Academic Building, Room #121

1200 University Street, Unit 9078

Spearfish, South Dakota, USA 57799-9115

Office: 1 (605) 642-6099

jennifer.lucero@bhsu.edu

Table of Contents

Our Mission	3
Referrals to Special Services	3
Disability Services	4
Differences between High School and University for Students with Disabilities	4
Higher Education and the Law	5
Section 504 of the Rehabilitation Act of 1973.....	5
Americans with Disabilities Act	5
Frequent asked Questions and Answers:	6
Q: As a Student with disability leaving high school and entering postsecondary education, will I see differences in my rights and how addressed?.....	6
Q. May a postsecondary school deny admission because of a student has a disability?	6
Q. Do I have to inform a postsecondary school that I have a disability?	6
Q. What accommodations must a postsecondary school provide?	6
Q. If I want Disability accommodations, what must I do?	7
Q. When should I request Disability Accommodations?	7
Q. Do I have to prove I have a disability to obtain accommodations?	7
Q. What documentation should I provide?	7
Q. What if I disagree with the accommodations provided by Office of Disability Services?	8
Informal Grievance Process:.....	8
Formal Grievance Process:	8
Q. What if the identified accommodation is not working?.....	8
Q. What if I feel faculty has denied the accommodations?	9
Q. What can I do if I believe BHSU is discriminating against me?	9
Confidentiality	10
Rights and Responsibilities.....	10
Registration with Office of Disability Services	12
Temporary Medical Conditions:	12
Timeframes for Alternative Format Requests:	14
Audio Recording of Lectures.....	14
Testing Center.....	14
Campus/Local/National Resources:	14
“An Open Letter to Parents of Students with Disabilities About to Enter into University” by: Jane Jarrow.....	16

Our Mission

The Office Disability of Disability Services at Black Hills State University (BHSU) provides services consistent with the needs of students with disabilities through partnerships with students, faculty and staff; we promote self-awareness, self-determination and self-advocacy to enhance their equal access to education.

The Office Disability of Disability Services adheres to the compliance standards related to Americans Disabilities Act (Disability), Section 504 of the Rehabilitation Act of 1973, Family Educational Rights and Privacy Act (FERPA), Health Insurance Probability & Accountability Act (HIPAA). BHSU is a member of the Association on Higher Education and Disability (AHEAD) and supports the statements on Professional Standards and Code of Ethics and utilizes these codes as guidelines in services to our students.

Disability (Americans Disabilities Act)

It is the policy of BHSU to provide accessible programs, services, activities and reasonable accommodations for any student with documented disability as defined by Section 504 of the Rehabilitation Act of 1973 and by the Americans with Disabilities Act of 1990. The Office of Disability Services works to ensure students with disabilities have an equal opportunity to pursue an education based on their ability rather than their disability.

The ADAAA (Americans with Disabilities Act Amendments Act of 2008) define disability as any medical, physical, learning or psychological condition that substantially limits someone from a major life activity such as seeing, hearing, learning and self-care.

Disability services assist students with documented disabilities. These include, but not limited to the following: Learning Disabilities, Attention Deficit/Hyperactivity Disorders, Psychiatric Disorders, Sensory Disabilities, Physical Disabilities and Health Impairments. Students registered with the Office are provided reasonable accommodations, on a case-by-case basis, to afford equal opportunity with respect to the institutions programs, activities and services.

Reasonable accommodations might include extended time for exams, exams given in low distraction reduced setting, peer note takers in class, audiotaping of class lectures, sign language interpreters, audio books, brailled books or class material. Our goal is to create accessible environment in which help students become independent, self-empowerment, self-advocacy, and development of strengths.

Referrals to Special Services

Referrals to Special Services are to provide students as well as faculty and staff with support services and available resources. Supportive services include, but not limited to the following: crisis intervention, conflict resolution, education on various social issues, linkage to community resources for students and their families, advocacy services, and education on various issues such as mental health, domestic violence, adult or child maltreatment and substance abuse.

Disability Services

Differences between High School and University for Students with Disabilities

Laws	
High School	University
IDEA (Individuals with Disabilities Education Act)	ADA (Americans with Disabilities Act of 1990, Title II), AD AAA (Americans with Disabilities Act Amendments Act of 2008)
Section 504 Rehabilitation Act of 1973	Section 504, Rehabilitation of 1973
IDEA is about SUCCESS	ADA is about ACCESS

Required Documentation

High School	University
IEP (Individual Education Plan) and/or 504 Plan	Interactive Process
Students are provided evaluation at no cost to student or family	Student first meets with the Coordinator of Disability Services
Documentation focuses on determining whether student is eligible for services based on specific disability categories in IDEA.	Should 3 rd Party Documentation be deemed necessary, it must provide information on specific functional limitations, and demonstrate the need for specific accommodations in an Academic Environment.
	Documentation must provide clear rationale for each accommodation being requested. (Please keep in mind not all recommended accommodations may be approved)

Self-Advocacy

High School	University
Student is identified by the school and is supported by parents and teachers	<i>Student must self-identify to the Office of Disability Services</i>
Primary responsibility for arranging accommodations belongs to the school	<i>Primary responsibility for self-advocacy and arranging accommodations belongs to the student</i>
Teachers approach you if they believe you need assistance	<i>Professors are usually open and helpful, but most expect you to initiate contact if you need assistance.</i>

Parental Role

High School	University
Parent has access to student records and can participate in the accommodation process	Parents do not have access to the student records without student's written consent
Parent can speak to Educators regarding student	Note * At BHSU conversations regarding student will only take place in the presence of the student
Parent advocates for student	Student advocates for self

Higher Education and the Law

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) 1990, as Amended (ADAAA, 2008) prohibit discrimination against individuals with disabilities and mandate the provision of reasonable accommodations to ensure equitable access to programs and services. Per these laws, "no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from the participation in, be denied the benefits, or be subjected to discrimination under any program or activity.

A Disability defined as any medical, learning, physical or psychological impairment that substantially limits one or more major life activities; have a record of such impairment; or be regarded as having such impairment.

Medical, Learning, Physical or Psychological Disability may be (but not limited to) AIDS, HIV, Cancer, Cerebral Palsy, Diabetes, Epilepsy, Traumatic Head Injury, Specific learning disability, loss of limbs, Multiple Sclerosis, Muscular Dystrophy, Psychiatric Disorders, Speech Impairments, Spinal Cord Injuries, hearing impairments, and visual impairments.

Major Life Activities are defined as (but not limited to) walking, seeing, hearing, speaking, breathing, learning, thinking, concentrating, and working.

Section 504 of the Rehabilitation Act of 1973

Section 504 is a program access statute. Subpart E of Section 504 deals specifically with institutions of higher education. "It requires that an institution (public or private) be prepared to make appropriate academic accommodations and reasonable modifications to policies and practices in order to allow the full participation of students with disabilities in the same programs and activities available to non-disabled students.

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 reinforced the provisions of Rehabilitation Act by requiring that all public facilities, services and communications be accessible to persons with disabilities and that auxiliary aids and services be provided unless an undue burden would result.

Disability does not require Colleges or Universities to lower academic standards or fundamentally alter the nature of programs provided nor are reasonable accommodations intended for success within courses/programs. Adherence to the University's code of conduct as well as adherences to faculty directions and instructions are expected.

A pamphlet outlining a student's responsibility for those who are preparing for postsecondary education: "Students with Disabilities Preparing for Postsecondary Education: Know your Rights and Responsibilities." The pamphlet is here:

<http://www2.ed.gov/about/offices/list/ocr/transition.html>

Office of Civil Rights (OCR) in U.S. Department of Education explains the rights and responsibilities who are preparing to attend postsecondary schools. The pamphlet also explains the obligations of postsecondary schools to provide academic accommodations, including auxiliary aids and services, to ensure BHSU does not discriminate on basis on disability. OCR strongly encourages students to know their responsibilities and those of postsecondary schools under Section 504 and Title II. Armed with knowledge improves students' opportunities to succeed as they enter postsecondary education.

Frequent asked Questions and Answers:

Q: *As a Student with disability leaving high school and entering postsecondary education, will I see differences in my rights and how addressed?*

A: Yes. Section 504 and Title II protect elementary, secondary and postsecondary students from discrimination. Nevertheless, several requirements that apply through high school are different from the requirements that apply beyond high school. For instance, Section 504 requires a school district to provide free appropriate public education (FAPE) to each student with a disability in the district's jurisdiction. Whatever the disability, a school district must identify an individual's education needs and provide any regular or special education and related aids and services necessary to meet those needs as well as it meeting the needs of students without disabilities.

Unlike high school, postsecondary school is not required to provide FAPE. Rather, your postsecondary school is required to provide appropriate academic accommodations as necessary to ensure that it does not discriminate on the basis of disability.

Q. *May a postsecondary school deny admission because of a student has a disability?*

A. No. If you meet the essential requirements for admission, a postsecondary school may not deny any student's admission simply because of a disability. Please note BHSU is an open enrollment Higher Education Institution.

Q. *Do I have to inform a postsecondary school that I have a disability?*

A. *No.* However, if you want BHSU to provide accommodations, you (the registered student) must self-identify yourself as having a disability to the Office of Disability Services. Likewise, you should let BHSU / Office of Disability Services know about your disability if you want to ensure assigned assessable facilities. *In any event, your disclosure of a disability is always voluntary.*

Q. *What accommodations must a postsecondary school provide?*

A. The appropriate accommodations must be determined based on your disability and individual needs. Accommodations may include auxiliary aids and academic accommodations as are necessary to ensure equal educational opportunities. Examples of such accommodations are arranging for alternative text format, course substitution, note takers, sign language interpreters, extended time on quizzes/tests, and usage of testing lab.

Postsecondary schools are not required to lower or affect substantial modifications to essential requirements. For example, although your school may be required to provide

extended time for testing, it is not required to change the content of the test. In addition, postsecondary school does not have to make modifications that would fundamentally alter the nature of a service, program, or activity or would result in undue financial or administrative burdens. Finally, postsecondary school does not have to provide personal attendants, individual prescribed devices, readers for personal use or study, or other devices or services of a personal nature, such as tutoring or typing. Personal aides and individual prescribed devices are the responsibility of the student. Please visit the OCR website to learn more at <http://www2.ed.gov/about/offices/list/ocr/docs/auxaids.html>

Q. If I want Disability accommodations, what must I do?

A. You, the registered student, must inform the Office of Disability Services you have a disability and request accommodations. Your first step is to attend an intake appointment with the Disability Coordinator. Please note others making contact on behalf of the student does not substitute for the student's self-disclosure.

Q. When should I request Disability Accommodations?

A. You may request Disability accommodations at any time; you should request it as early as possible. Some accommodations may take more time to provide than others may. You should follow the Office of Disability Services procedures to ensure that there is enough time to review your request and provide appropriate accessibility and accommodations. Please keep in mind, accommodations are not retroactive, the accommodations become effective when registration is completed with Office of Disability Services.

Q. Do I have to prove I have a disability to obtain accommodations?

A. Generally, yes. Office of Disability Services will follow the interactive process and determine if 3rd party documentation is necessary to verify a valid disability and necessary accommodations.

Q. What documentation should I provide?

A. Office of Disability Services has a reasonable standard for documentation. Typically, required documentation is prepared by an appropriate professional, such as a medical doctor, psychologist, clinical social worker or other qualified diagnostician. The appropriate professional cannot be of any relation to the student. The required documentation may include one or more of the following: a diagnosis of your current disability; the date of the diagnosis given; what tests were performed to determine diagnosis; the credentials of the professional/evaluator; how your disability affects a major life activity; and how the disability affects your academic performance. The professional/evaluator can and should provide any recommended accommodations. The documentation should provide enough information for you and Office of Disability Services to determine the necessary and appropriate accommodation/s. Please keep in mind, not all recommendations may be appropriate at a higher education level.

Although Individualized Education Program (IEP) or Section 504 plan, if you have one, may help identify services that have been effective for you, it may not be sufficient documentation. This will be determined on a case-by-case basis. If documentation does not meet the

requirements, Office of Disability Services will provide you with local resources to have an evaluation completed. The Office of Disability Services does not provide or pay for diagnostic evaluations.

Please be aware each registration for Disability accommodations is handled on a case-by-case basis.

Q. *What if I disagree with the accommodations provided by Office of Disability Services?*

A. The Disability grievance procedure is as follows:

Informal Grievance Process:

Students with questions or a grievance about a decision made by the University related to reasonable accommodations should first communicate with the Coordinator of Disability Services. However, students are not required to complete an informal complaint first; a student can submit a formal complaint at any time. The University and student may agree to resolve any grievance informally at any time during any formal or informal process.

Formal Grievance Process:

**A Student or the University may elect to proceed to a formal grievance at any time.*

1. Students who wish to complete a formal appeal regarding accommodation decisions must submit a written appeal letter to the Vice President for Enrollment Management (VPEM), or designee. Written appeals should clearly define the basis of the appeal and a proposed resolution to the situation. Any relevant documentation should be enclosed with the appeal. The VPEM, or designee will develop an appropriate investigatory process depending on the circumstances surrounding the reasonable accommodation grievance. The VPEM, or designee, will respond to the student filing the appeal in writing within fifteen (15) working days of receiving the appeal.
2. If the response of the VPEM, or designee, is not satisfactory to the student, he or she has five (5) working days, following the receipt of the response, to file an appeal with the University President's Office, or designee. All prior written responses related to the appeal be enclosed with this appeal. The President's Office, or designee will respond to the student filing the appeal within fifteen (15) working days of receiving the appeal. The decision of the President, or designee is final.

**Nothing in this procedure prevents any individual who believes he or she may have been discriminated against from pursuing legal remedies.*

Q. *What if the identified accommodation is not working?*

A. You will need to make the Office of Disability Services aware the accommodations are not working

as you expected. You and Office of Disability Services should work together to resolve any problems. It may be too late to correct the problem if you wait until the end of the course or activity is completed. It may be necessary for you to discuss the issues with your treatment provider. Accommodations are not retroactive.

Q. *What if I feel faculty has denied the accommodations?*

A. You will need to make Office of Disability Services aware immediately. The Office of Disability Services will work with faculty to ensure the appropriate accommodations are provided to you.

Q. *What can I do if I believe BHSU is discriminating against me?*

A. If a student or visitor believes he/she is or has been, subjected to discrimination due to their disability, they may contact the Office of Disability Services directly. If you wish to file a complaint with the Office of Disability Services, please follow the steps below:

- All Disability complaints shall be submitted to the BHSU Office of Disability Services or, in the event, the complaint alleges a violation by the Office of Disability Services, to the Dean of Students, or Designee. All complaints must be filed in writing contain the name and address of the complainant and describe the alleged violation.
 - The complaint must be filed within 90 calendar days after the complainant becomes aware of the alleged violation. BHSU will conduct an investigation, affording all parties with notice and an opportunity to be heard and to submit relevant information.
 - The Office of Disability Services will issue a written decision on the complaint and the proposed resolution, if any, no later than 15 days after the conclusion of the investigation. The Office of Disability Services will, subject to University procedures and any applicable laws or regulations, maintain the files and records relating to the complaint.
- Students who wish to complete a formal appeal regarding accommodation decisions must submit a written appeal letter to the Vice President for Enrollment Management (VPEM), or designee. Written appeals should clearly define the basis of the appeal and a proposed resolution to the situation. Any relevant documentation should be enclosed with the appeal. The VPEM, or designee will develop an appropriate investigatory process depending on the circumstances surrounding the reasonable accommodation grievance. The VPEM, or designee, will respond to the student filing the appeal in writing within fifteen (15) working days of receiving the appeal.
- If the response of the VPEM, or designee, is not satisfactory to the student, he or she has five (5) working days, following the receipt of the response, to file an appeal with the University President's Office, or designee. All prior written responses related to the appeal be enclosed with this appeal. The President's Office, or designee will respond to the student filing the appeal within fifteen (15) working days of receiving the appeal. The decision of the President, or designee is final.
- If you believe, you or someone else has been discriminated against because of disability or if you have questions, concerns or suggestions related to Disability or this policy, please contact Office of Disability Services at (605) 642-6099. Nothing in this procedure

- prevents any individual who believes he or she may have been discriminated against from pursuing any and all legal remedies.
- You may file a complaint against BHSU with OCR or in a court. You may learn more about OCR complaint process from the brochure "how to file a discrimination complaint with the Program of Civil Rights", <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>. You may reach OCR at www.ed.gov/ocr or by phone 1-800-421-3481.

Confidentiality

Due to the sensitive and personal nature of Office of Disability Services, all services and student records are strictly confidential. Information regarding diagnosis or treatment will not be released without written permission from the student. This means nothing you share with Office of Disability Services is revealed outside the Office of Disability Services without your written consent. We do not disclose identifying information about our students to anyone including family or University officials, without consent. Office of Disability Services will not discuss the status of any student with individuals outside of the University without the student present.

The Family Educational Rights and Privacy Rights (FERPA) govern the confidentiality of students' educational records. Information regarding FERPA seen here: www.ed.gov/policy/gen/guid/fpco/ferpa/students.html

Disabilities records kept in a separate secure file. Unless there is an "*educational need to know*" under FERPA, the Office of Disability Services personnel are unable to release information about you without your consent. If you discontinue your enrollment at BHSU, you may contact the Office of Disability Services and request your file be destroyed. If you are not enrolled in courses for 3 years, your file including any paperwork will be destroyed.

Please note: There is a limitation of confidentiality for the following: Threats of violence and/or suicide taken seriously and appropriate steps completed. The law mandates any reports of child abuse or adult abuse reported to the local Social Services office. Office of Disability Services will adhere to the required mandated reporting law.

Due to the sensitive and confidential nature of files and meetings, the Office of Disability Services office door remain locked at all times.

Rights and Responsibilities

Students with disabilities rights include:

- Equal access to services, programs, facilities, and employment at BHSU.
- Reasonable and appropriate accommodations and auxiliary aids determined on an individual basis.
- Confidentiality of information related to disability issues.
- Pursue accommodation requests that have not met through an appeal procedure at the Office of Disability Services.

Students with disabilities responsibilities include:

- Self-identify disability status to Office of Disability Services by providing disability documentation, which meets the eligibility guidelines.

- Request necessary accommodations in advance of the need.
- Meet BHSU Academic and Institutional standards.
- Comply with the BHSU Student Code of Conduct.
- Follow the specific guidelines established for obtaining reasonable and appropriate accommodations and/or auxiliary aids.
- Notify Office of Disability Services of any changes to your schedules and/or status as a student at BHSU.
- Notify Office of Disability Services of any concerns or difficulties in the receipt of accommodations.

Office of Disability Services has the right to:

- Maintain BHSU's Academic and Institutional standards.
- Request current documentation that adhere to Disability eligibility guidelines to verify the need for reasonable accommodations and/or auxiliary aids.
- Select effective communications and auxiliary aids in consultation with the student on individual basis.
- Deny an accommodation request and/or auxiliary aids if the documentation fails to verify the need for the requested service or if the documentation is not provided in advance.
- Refuse an inappropriate or unreasonable accommodation request and/or auxiliary aids that pose a direct threat to the health and safety of others, constitute an alteration to an essential element of a course program; or pose an undue financial or administrative burden to the University.

Office of Disability Services Responsibilities include:

- Provide reasonable accommodations for students' disclosed disabilities so students have equal access to courses, activities and programs
- Provide policies and procedures information to students with disabilities
- Provide advice about accommodation options, reasonable accommodations, and/or auxiliary aids
- Provide appropriate supportive services to students, faculty and staff.

Faculty Members' rights include:

- Establish course content and Academic Standards.
- Request written notification from the Office of Disability Services of a student's need for accommodation. (Faculty and staff do not have the right to access disability documentation).
- Decide if an accommodation request meets the course academic requirements.
- Contact Office of Disability Services to clarify student request for accommodation, and/or auxiliary services.

Faculty Members' responsibilities include:

- Provide recommended reasonable accommodations, and/or auxiliary aids in a timely manner.
- Work with Office of Disability Services and their respective Departments to facilitate recommended accommodations both within and outside of their classroom.
- Meet with students who have provided a faculty notification letter to discuss requested accommodations and establish the procedure for providing accommodations and/or auxiliary aids in the course.
- Maintain confidentiality regarding disability issues.
- Alter the form of a testing procedure to measure proficiency in course knowledge based on

ability of the student, not the disability. (There may be an exception when the purpose of the test is to measure a particular skill.)

- Refer unregistered students to Office of Disability Services who have requested accommodations.
- Provide handouts and/or classroom materials in alternative formats (such as enlarged print for visually impaired students, printed copies of audio/transcription of audio materials, closed captions, etc.).
- Make course materials on reserve in the library available in alternative formats for students with disabilities.
- Ensure software and "new" technology is accessible before implementing.
- Contact Office of Disability Services for consultation regarding students with disabilities and accommodation concerns.

Registration with Office of Disability Services

As stated previously, students in higher education are required to **self-identify** and request accommodations. Students must register with the Office of Disability Services and provide necessary documentation to receive Disability accommodations. Students with disabilities are not required to register nor are they required to receive accommodations if they do not wish to do so. Students are strongly encouraged to register with the Office of Disability Services prior to the start of the semester but can register at any time during the semester.

Please be aware accommodations are not retroactive. Accommodations are effective upon registration with Office of Disability Services.

Steps for Registering with Office of Disability Services:

- 1) The student contacts the Office of Disability Services by phone (605) 642-6099, or email: Jennifer.Lucero@bhsu.edu or walk-in at E.Y Library, Lower Level - Room #003 to schedule an appointment for an intake interview.
- 2) During the appointment, the student and Coordinator of Disability Services discuss take part in an interactive process related to the specific disability and requested accommodations.
- 3) Within 5 business days, the student will be contacted via phone or email and provided a list of the identified reasonable accommodations.
- 4) If the student does not agree with the accommodations, the student has the right to file a grievance (please refer to the grievance process stated in this handbook)
- 5) If the student agrees to the accommodations, Office of Disability Services will create paperwork to notify all faculty of approved accommodations.
- 6) The student will need to discuss any arrangements with the faculty prior to the assignment of accommodations.
- 7) Every semester the Office of Disability Services will complete new paperwork for the student to deliver to faculty members.
- 8) If the student should choose to not enroll in courses or complete drop/add, the student is responsible to notify Office of Disability Services of the changes.

Temporary Medical Conditions:

Students experiencing short term or temporary changes in their medical, functional or mobility status are advised to meet with the Office of Disability Services. Temporary disability accessibility and

accommodations will be discussed to meet your needs.

A temporary medical condition may not legally qualify as a disability and thus, may not be covered either under the Americans with Disabilities Act (ADA) of 1990 or under Section 504 of the Rehabilitation Act. Therefore, it is possible that students experiencing temporary medical conditions will not qualify for legally mandated accommodations. However, BHSU recognizes temporary medical conditions may arise that can adversely affect a student's ability to fully participate in their academic endeavors. Office of Disability Services will assist these students in coordinating short-term support both as a courtesy and as a demonstration of commitment to student support.

Timeframes for Alternative Format Requests:

If your accommodations require alternative formats of texts or materials, please make your request A.S.A.P at the start of the new semester. If you are unable to do so, please be aware Office of Disability Services attempts to provide you with the alternative material as soon as possible. Students will be required to show proof of purchase prior to any request for alternative textbooks granted. Students are also required to sign an alternative textbook agreement with the Office of Disability Services.

Audio Recording of Lectures

If an accommodation allows for audio recording of lectures, the student will be required to sign an audio recording agreement with the Office of Disability Services.

Testing Center

If a student has the accommodation of testing in a low distraction area such as the Testing Lab, students are required to adhere to all rules of the Testing Center to include providing a photo I.D. Students are also required to discuss these alternative arrangements with their Instructors prior to any quiz or test.

Campus/Local/National Resources:

BHSU TRIO Student Support Services

Student Support Services
1200 University St. Unit 9510
Spearfish, SD 57799-9510
Located in Woodburn Hall, Office #139
(605) 642-6294

BHSU Student Counseling Center

BHSU - Student Health Services
1200 University St. Unit 9129
Spearfish, SD 57799-9129
Located in Student Health Services on the Lower Level of the Student Union #106
Office Hours: Monday thru Friday, 8:00 am to 5:00 pm.
(605) 642-6520

South Dakota Department of Human Services

Division of Rehabilitation Services

<http://dhs.sd.gov/rehabservices/vocrehabservices.aspx>

Rapid City

2330 N Maple, Suite 2
Rapid City, SD 57701
Phone/TTY (605) 394-2261 or 1-800-439-8861

Spearfish (Sub office of Rapid City)

1300 N Ave

Spearfish, SD 57783

Phone/TTY (605) 642-6817 or 1-800-439-8861

Americans with Disabilities Act (DISABILITY): www.Disability.gov

Association on Higher Education & Disability (AHEAD): www.ahead.org

SAMHSA's National mental health information center: www.mentalhealth.org

Academic Software, Inc. (ASI): www.acsw.com

Additional resources available upon request to Office of Disability Services.

“An Open Letter to Parents of Students with Disabilities About to Enter into University” by: Jane Jarrow

"Dear Parents,

I have been working in the area of students with disabilities at the University level for more than 30 years, but that is not why I am writing you today. I am writing as a parent, and thus as someone who shares all of your current anxieties. My daughter, who graduated from high school in early June, will be going away to University this Fall. She has Cerebral Palsy, uses a wheelchair, and has limited speech capabilities, so you can be assured that I have been involved in the educational programming and planning she has received during her years in the public school system. I *wanted* to be involved, but I also *needed* to be involved since, by law, the school could not do anything for, to, or with my daughter regarding her disability without my permission. I sat through countless IEP meetings over the years. I was insistent on certain issues of academic support when I needed to be, and agonized over everything from teacher selection to her successful social integration with classmates. And now, as I prepare to pack her up and take her off to University in the Fall, I recognize that this role has ended for me - and the word "anxious" doesn't even begin to describe my feelings.

If you are worried that your child with disability will have a difficult time making a successful transition to University without your involvement.... then you are probably right to be worried. Very few **children** with disabilities can succeed at the University level. On the other hand, students with disabilities survive and thrive on University campuses across the country. If you still think of your son or daughter as "your child", and they still are comfortable in accepting that role, it is time to take a careful look at where you have come from and what lies before you. As parents, it is time for us to step back and allow/encourage/gently nudge our SWD's (Students with Disabilities) to assume significant independent responsibility for their own lives, both academically and personally.

As you and your SWD prepare to visit campus for the initial meeting with a disability service provider at the University, you would do well to think about what can be accomplished at this initial meeting, what needs to be said - *and who is going to say it!!!* As I approach that same milestone, I find myself a little panicky, realizing that there are things about her disability and how it impacts her functioning that I know and that the disability services providers need to know, and that I may not have many chances to say. There is no doubt that I can explain those things fully than my daughter can explain them (or even understand them!). And it doesn't matter. Much as I hate it, I know that SHE has to be the one to convey all this crucial information (not me!), for a number of reasons.

First, Universities and universities provide services and support to SWD under very different laws than those that governed services in the K-12 system. As a parent, I have no rights under Section 504/ADA in speaking for my SWD who is in University. (If you aren't sure what "Section 504/ADA" means in this context, perhaps the disability service provider you meet with will have gathered some information that helps explain the differences between settings, both legally and personally. Two of my favorite websites for learning more are at: <http://www.ed.gov/about/programs/list/ocr/transition.html> and <http://www.heath.gwu.edu/>)

The services and support available to SWD are sometimes very different than what was provided in high school, and the University is under no obligation to continue the services given in high school or to adhere to the recommendations of an outside diagnostician. The University will make its own

determination of what services and support to offer, based on the documentation of disability and their interview with your SWD. There are no IEP's in University, there is no place to sign off with parental approval. Indeed, the University doesn't legally have to care whether I am satisfied or not. My daughter is responsible for her own destiny now.

More importantly, while this may be your last chance to convey all that important information on to the University, it is your SWD's first chance to convey that information all by himself/herself. Do not spoil the opportunity, and do not interfere. Remember, while you and your SWD are learning more about the campus, resources and the people who will be there to help when needed, the disability service provider is learning more about your son/daughter, as well. You want their first impression to be one that is positive and reassuring. The service provider is anxious to find out whether your SWD is mature enough to handle the responsibilities and independence of University life. Here are some specific suggestions for helping your SWD to shine in this newly focused spotlight:

- **Do not** be insulted if you are not invited to sit in on the initial meeting between your SWD and the disability services folks. Some institutions have found that is helpful for them to speak directly (and alone!) to the student in order to get a feel for how knowledgeable and confident he/she is in sharing information about the past services, what works and doesn't work, and what accommodations they hope to have at University level. You will get a chance to ask your questions, but recognize that it may come later, rather than sooner.
- If you are invited to sit in on the meeting with the disability service folks, **DO** acknowledge your SWD as the authority on their disability-related needs by making it clear that you believe they have all the answers! Try focusing your visual attention on your son/daughter instead of trying to make eye contact with the interviewer. If you look to your SWD, so will the professional.
- **Do not** begin any sentence with "She/He needs to have....", instead you can try, "In high school, she/he had...." Or "the person who tested him/she suggested..." but it would actually be better if *you said nothing at all*\ Try to talk as little as possible in the meeting. This is not your meeting. Remember, you are there as an observer, not as a participant.
- **Do** take some time prepping you SWD in advance on the issues that you think need to be discussed - the things that you would say if you had the chance. Make a list of topics you would bring up, explain why you think each is important, and make sure your SWD has the list in hand when she/he goes into the interview. Rehearse with your son/daughter, if they will let you. If they are typical teens and aren't comfortable sitting through that kind of rehearsal, settle for making them sit and listen while you demonstrate how you would approach certain subjects. For example, "I think you should tell them about how the teachers arranged for extra time for you on tests when you were in high school. I probably say, "In high school, I was allowed extra time for tests in English because it takes me a long time to put my thoughts in writing but I never needed it in Math." Your SWD may not acknowledge the strategies you share, but you may be surprised to hear those words come out of his/her mouth at the interview!
- **Don't interrupt.** If you disagree with something the disability service provider says, or if your SWD says something that you know is incorrect, or if you see SWD agreeing with/to something when you know they have no idea what they are agreeing to- Don't Interrupt! Let the interview play out. Give the disability service provider a chance to draw your SWD out

further, give your SWD an opportunity to clarify matters, or simply wait to see if the confusion/disagreement remains. It is important to know just how independent and accurate students are in describing their needs. You will get your chance.

- **Do** prompt your son/daughter to speak up and share those important points as the interview progresses. Instead of explaining to the disability service provider why Johnny needs a calculator in math classes, turn to Johnny and say "why don't you explain to Ms. why it is important for you to have a calculator for math and science classes. Is it because you have trouble lining up columns, or because you have trouble remembering basic math facts or ????" Given an open ended question that encourages your SWD to flesh out the response. At the same time, you are hinting to the interviewer that there is an issue here to be discussed (see? I told you that you would get your chance!)

Why not take notes as the interview progresses? When your son/daughter has exhausted the list of topics to discuss, and the disability service provider has shared all the information they thought was important, it is YOUR turn to talk. Go ahead and ask your questions. The most important thing to remember now is that you do not want to undermine your son/daughter's credibility. If you have more information to share on a given subject, try starting the sentence with, "As Susie told you, she has used..." and then add whatever you need to top of the information already given. If you think your SWD gave incorrect information, tread carefully. You might say, "I was surprised to hear Jane say . I would have said , because" You'll get your point across without directly contradicting what your son/daughter said. Your goal is to assure both SWD and the disability service provider that you are supportive of their budding understanding, and simply want to share another viewpoint.

An old adage maintains:

There are only things a parent can give to a child

One is roots. The other is wings.

It is time for our kids to solo. That is a scary thought for us, as parents, and it is sure to be scary for them, too. That's OK. This is what we have all been working towards for a long time. Remember, your son/daughter will call, email, or text if they need you. They know what you can do for them, but now it is time for them to go it alone. Take a deep breath, cross your fingers, wish them well - and walk away. All will be well!

Best of Luck

Jane Jarrow

Proud (and Terrified) Mom