

**External Program Review
Disability Services
Weber State University
March – April 2024**

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**External Program Review
Disability Services
Weber State University
March – April 2024**

Executive Summary

A program review of Disability Services at Weber State University was conducted on March 25 – 26, 2024, consistent with Weber State University's (WSU) practice that all functional areas ideally undergo a comprehensive evaluation every five years. The goals of the program review are detailed in the handbook provided to the Review Team.

The site review team comprised two internal reviewers, Jonathan Zempter, Melinda Russell-Stamp, and Adam Meyer from the University of Central Florida.

As stated within the Disability Services' self-study, the Disability Services' team welcomes any and all feedback that could help improve services. Desired input on the following specific areas were used to guide feedback within this report:

- Provide feedback on the existing organizational structure and how Disability Services might better provide leadership/supervision, advising, and accommodation facilitation
- Provide feedback regarding office expansion and remodel opportunities
- Provide feedback on ways to continue providing excellent student/faculty support
- Provide some effective strategies for assessing the effectiveness of accommodation provision as a way of informing programmatic change (reduction of inefficiencies)
- Provide suggestions for increasing funding for salaries, hourly wage, accommodations, technology, transition services, deaf services, and other budget priorities in a moment of lean enrollment and budgets. How might Disability Services access alternative funding sources?
- Provide some feedback on our current website design and ways we can integrate important compliance/legal information, while keeping the site accessible, student-centered, and mobile-friendly

Overall, the reviewers discovered a campus with many positives regarding disability accessibility. Disability Services is a robust operation actively engaged in many conversations on campus. The collaboration between Disability Services and faculty has also created positive outcomes. The reviewers met many people engaged in the disability access conversations and were aware of what was working and where opportunities existed for improvement. The campus is having the proper discussions

and is developing the right mindset to make accessibility changes that will be both lasting and genuinely impactful should the right investments be made. Specific positives highlighted during the review include:

- Disability Services benefits from a strong director with many years of experience in the field.
- The Disability Services team is passionate and engaged with the work that must happen on campus.
- Disability Services has developed a strong accommodation coordination team. The administrative work is high, time-intensive, and essential behind-the-scenes work.
- The team pushes for change and impact. Doing both the required and the proactive requires a careful balancing act. To maximize energy, any new initiatives should have a definitive purpose that advances critical goals.
- Based on what was indicated in the self-study and in conversations with the team, Disability Services has a strong foundational understanding of what should constitute a reasonable accommodation and how the interactive process should be applied with opportunity to continue to grow in this area. In addition, the team comprehends the importance of the interactive process and the inclusion of faculty in other case-by-case course accommodation decisions
- At WSU, faculty recognize and appreciate the partnership with Disability Services.

This executive summary offers a few major areas for consideration. The descriptive report includes numerous other ideas for Disability Services and the WSU community. The reviewers hope that the recommendations and, more importantly, the conversations that unfold in response to this review energize the campus to move disability accessibility to the next level.

The reviewers' top recommendations to address the most significant accessibility strategic needs include:

- **Accommodate upgrade:** Disability Services must invest in the Accommodate database enhancement. This step is the most urgent priority.
- **No new staff (beyond the July 2024 hire) for Disability Services without assessing the benefit of a more robust database.** Disability Services should experience greater efficiencies with this database investment.

- **Think workload over caseload:** Disability Services must assess their needs relative to workload completion rather than caseload assignments. Workload is defined as the amount of work to be done by someone or something. The workload expected of a campus disability resource office tends to exceed significantly what campus administrators assume disability resource professionals are responsible for handling. Workload tasks can include testing administration, ASL and captioning coordination, accessible technology management, note-taking accommodation facilitation, campus outreach efforts, and more. Meeting the workload demands in a disability office often requires a wide range of skill sets and personnel time beyond caseload support to complete the critical tasks for the office and the institution.
- **Tighten the internal Disability Services' accommodation review process:** Disability Services must create a better process for how disability accommodation requests are reviewed and approved by the team. Within these improvements, Disability Services should evaluate when and why additional documentation is sought from students, as some of the requests for more documentation may be contributing to unnecessary bottlenecks within the system.
- **Resolve the space concerns:** Disability Services needs new and better space for a variety of reasons. The need is well-documented on campus. Action should be taken sooner than later.
- **Disability accessibility is a campus-wide responsibility:** Overall, the current WSU posture may be to deflect "all things disability" to Disability Services to resolve. Disability Services does not have the expertise or capacity to initiate or serve as the front-runner for solutions. Disability Services must explore ways to change the campus narrative, which will likely include framing situations in such a way that other stakeholders understand they must be part of, initiate, or lead the solution.
- **Faculty Advisory Committee:** Disability Services would benefit from a faculty advisory committee. Disability Services can share perspectives and get faculty insight into various aspects of the access and accommodation process through an organized faculty advisory group.

- **Consider Making the Disability Services Director the ADA/504 Coordinator:** ADA/504 Coordinators have a broad range of responsibilities on a campus that have not been occurring at WSU in recent years. The Disability Services Director has brought a much-needed purpose to the ADA/504 Coordinator role in the interim period, albeit in a reduced capacity given the dual responsibilities. WSU would benefit from making this merged position concept permanent. If the Disability Services Director continues to assume the ADA/504 Coordinator role, then a Deputy Disability Services Director should be hired to run the day-to-day operations within Disability Services.
- **Create a Digital Accessibility Coordinator position:** A centralized point person, such as a Digital Accessibility Coordinator, would be a beneficial authority voice and quarterback of digital accessibility resources and collective efforts. As more information comes from the Department of Justice on what entities must do, WSU should prepare to pivot to meet the established requirements.

External Program Review The Weber State University January – March 2024

Descriptive Report Process Overview

A program review of Disability Services at Weber State University was conducted on March 25 – 26, 2024, consistent with Weber State University's (WSU) practice that all functional areas ideally undergo a comprehensive evaluation every five years. The goals of the program review are detailed in the handbook provided to the Review Team. The goal was to complete a comprehensive program review of the institution's general approach to coordinating its disability accessibility, primarily focusing on disabled student¹ resources. The review process included the following:

- An overview of the purpose of the review (January 2024);
- Document and website review (January – February 2024);
- Two-day campus visit and Zoom meetings (March 2024);
- Preparation of the final report (March 2024)

As stated within the Disability Services' self-study, the team welcomes any and all feedback that could help improve services. Desired input on the following specific areas were used to guide feedback within this report²:

- Provide feedback on the existing organizational structure and how Disability Services might better provide leadership/supervision, advising, and accommodation facilitation
- Provide feedback regarding office expansion and remodel opportunities
- Provide feedback on ways to continue providing excellent student/faculty support

¹ The descriptors "students with disabilities" and "disabled students" are used interchangeably in this review in recognition of the reality that this terminology is still unfolding. While professionals in the disability field have advocated use of "person first language" (person with a disability) for some time, disabled scholars and activists prefer "identity first" (disabled people) language. AHEAD recently released a white paper advocating for identify first language: <https://www.ahead.org/professional-resources/accommodations/statement-on-language>

² CAVEAT: Although thorough, this type of review has limitations. The information gathered is limited to what stakeholders shared during group, and individual interviews or is available as print or web-based materials. While the reviewers' recommendations are based on national standards and professional experience, they should be evaluated considering WSU's unique mission, goals, structure, and culture. The reviewers anticipates that not all recommendations will be directly relevant to WSU. The best outcome occurs when this process sparks conversation and generates practical ideas that lead to a more inclusive disability and accessibility campus experience for disabled individuals.

- Provide some effective strategies for assessing the effectiveness of accommodation provision as a way of informing programmatic change (reduction of inefficiencies)
- Provide suggestions for increasing funding for salaries, hourly wage, accommodations, technology, transition services, deaf services, and other budget priorities in a moment of lean enrollment and budgets. How might Disability Services access alternative funding sources?
- Provide some feedback on our current website design and ways we can integrate important compliance/legal information, while keeping the site accessible, student-centered, and mobile-friendly

Nondiscrimination is a Campus-Wide Responsibility

This information is not meant to be exhaustive or comprehensive in scope. Still, it should give readers a general understanding of why Disability Services does what it does, why broader disability accessibility must be an area of focus, and how the WSU community, especially faculty, can be active participants. This section focuses on the accommodation process relative to students in the academic context. This information can be generalized beyond academics when analyzing access for disabled faculty, staff, and campus guests. Disability Services work is about much more than “meeting with students.” Hopefully this information deepens understanding of Disability Services’ purpose for the institution and WSU’s purpose toward disability accessibility.

Disability Nondiscrimination is the Goal

The purpose of the disability accommodation process is to ensure that a student is not discriminated against solely based on disability and has the same level of access to the college experience as their non-disabled peers. Someone who does not have a disability is not covered under the Americans with Disabilities Act and/or Section 504 of the Rehabilitation Act of 1973.

When working with a disabled person, the purpose is not to facilitate a specific accommodation. Instead, reasonable accommodations or other measures address the outcome of nondiscrimination and equal access. On a college campus, this outcome occurs when disabled individuals (students, faculty, staff, and guests) can:

- Fully engage and participate in the same activities, benefits, services, and experiences offered to a person without a disability;
- Utilize the same information shared with everyone;
- Have the same opportunity to achieve.

If implementing an accommodation allows the student to do less relative to the university, program, and course standards and expectations placed on all students, then

it may not be reasonable. Assigning accommodations should be about letting disabled students have the same opportunities as everyone else. Accommodations should not be about allowing disabled students out of responsibilities or expectations we hold for others. Disability Services has a sound understanding of this process based on information provided within the self-study. Understanding the process is one thing. Navigating the complexities during daily implementation is another.

Interactive Process

The “interactive process” concept is a hallmark practice of the ADA when analyzing reasonable accommodations to ensure nondiscrimination. These conversations take time to do correctly. As accommodations become more intertwined with the learning objectives and realities of the course, determining what is reasonable cannot be passed off to the faculty for resolution. The resources necessary to facilitate adequate interactive processes both within the Disability Services and across campus are paramount to an effective disability accommodation process. Disability Services must have the support and personnel to be more involved where necessary. The Office of Civil Rights has highlighted this importance in numerous cases, such as in the letter for Northern Arizona University, OCR Complaint No. 08-22-2063 (May 27, 2022):

Section 504 envisions a meaningful and informed process concerning the provision of modifications through an interactive and collaborative process between a post-secondary institution and the student. Students are responsible for knowing these procedures and following them. Generally, upon receiving documentation of a disability and a request for academic adjustments, a postsecondary institution’s evaluation of a student’s proposal requires a fact-specific, case-by-case inquiry. This evaluation process should be interactive, with information exchanged between the student and the postsecondary institution to conclude the academic adjustment requested.

In providing an academic adjustment, a postsecondary institution does not have to eliminate or lower essential requirements or make modifications that would fundamentally alter the programs or activities offered or impose an undue burden on the institution. Academic requirements that the recipient can demonstrate are essential to the instruction being pursued by a student or any directly related licensing requirement and are not regarded as discriminatory.

In reviewing an institution’s determination that a specific standard or requirement is an essential program requirement that cannot be modified, OCR considers whether that requirement is educationally justifiable. The requirement should be necessary for a program or class’s educational purpose or objective. OCR policy requires, among other factors, that decisions regarding essential requirements be

made by a group of people who are trained, knowledgeable, and experienced in the area through a careful, thoughtful, and rational review of the academic program and its requirements and that the decision-makers consider a series of alternatives for the essential requirements, as well as whether the essential requirement in question can be modified for a specific student with a disability. OCR affords considerable deference to academic decisions made by post-secondary institutions, including what is or is not an essential program requirement.

Many accommodation matters in the classroom can be facilitated swiftly once the professor is aware of a particular need for accommodation via the accommodation letter. In addition, a disability office will encounter numerous complex situations every semester. A more detailed discussion or analysis will be necessary to determine the extent of reasonableness of an accommodation in a particular course situation. Examples might include how to facilitate specific accommodations such as modified attendance or alternatives to presentations, address specific environments such as an accommodation in a lab environment, or establish access for a particular student, such as a blind student, in a math course. Sometimes, the accommodations listed on the accommodation letter, the course learning objectives, and the course design do not align. Therefore, more discussion will be necessary. Beyond academics, internships, housing accommodations, accessible dining considerations, and campus activities may consume substantial time. Overall, Disability Services noted that they receive an average of two situations per week that often arrive without warning and consume multiple hours of staff time.

Very few specifics regarding reasonable accommodation are outlined within the ADA (except for architectural access). Thus, most decisions must be made on a case-by-case basis because access will vary based on the nuances of the disability experience at the intersection of the environment and any barriers within its design. Suppose a complaint or grievance arises in the Department of Justice, Office of Civil Rights, or a similar high-level legal review. In that case, the first area to be assessed is the extent to which the interactive process was followed when making reasonable accommodation decisions.

The reviewers consider the purpose of the interactive process to answer each component of the following question:

- Is this a student with a disability (who experiences a substantial limitation in one or more major life activities)....
- Who needs an accommodation that is reasonable and necessary for equitable access...

- That will logically remove an unnecessary academic barrier (at the intersection of the disability and the environment)...
- Without fundamentally altering the academic or campus standards, objectives, expectations, and experience?

The interactive process will always begin with Disability Services and the student so that Disability Services can answer the first three bullet points above. When reasonable accommodations are approved, many will be straightforward within the classroom and can happen through simple steps and procedural transactions.

The people who need to participate further in the interactive process will organically evolve as the individual academic situations unfold. When necessary, faculty and others may need to offer insight on the final two interactive process bullet points while working with Disability Services to assess if certain disability accommodations are reasonable within the specific environment. The process could involve back-and-forth with the student, a professor, and perhaps department leaders in select situations to explore options. Disability Services may have to assess the following based on the situation:

- Conversation with professor
- Conversation with department leaders and deans as necessary
- Review of the course syllabus of the course in question
- Possibly course syllabi of other sections of the same course
- Program/Degree Standards
- Course Catalog
- Accreditation standards
- Researching what is done on other campuses

The process must play out through a reasonable faith effort and analysis until a logical and justifiable decision has been made. In most cases, as noted in the Northern Arizona University OCR letter, a demonstration that a good faith process was used satisfies compliance obligations.

[Interactive Process Observations at The Weber State University](#)

There is no one specific way to conduct the interactive process. This process will be most critical to continuing in the classroom for accommodations such as flexibility with attendance, alternatives to presentations and in-class participation, memory aids, and other accommodations where the nature of the course dramatically influences the extent to which an accommodation may be reasonable. Internships and housing accommodation consideration provide their own challenges.

Disability Services does well with the interactive process and is developing a more structured team process to assess reasonable accommodations. The reviewers sense that Disability Services understands the importance of the interactive process and express a willingness to meet with faculty to sort through any specific classroom accommodation concerns. Faculty also expressed interest in having this mutual dialogue, and many indicated that they know Disability Services is in their corner as a resource for professors.

How Disability Services will navigate this process internally will depend on the personnel resources available and the subsequent system used (caseloads by students, caseloads by college, all-hands-on-deck, etc.). The goal is to gather sufficient information from the professor or other stakeholders to make informed decisions about a reasonable accommodation in the course. To extend the process further in the classroom will likely require the student or professor to notify Disability Services that an accommodation needs to be assessed within the class context.

In the end, all reasonable accommodation decisions should be made in response to these three criteria:

- To ensure that students with disabilities experience equal access and nondiscrimination relative to the disability and similarly situated students.
- To provide reasonable, logical, and necessary accommodations to ensure nondiscrimination and equal access relative to the disability.
- To facilitate access within the academic experience *without fundamentally altering the experience*.

Disability Services should not facilitate an accommodation if doing so would:

- Lower academic and institutional standards and expectations.
- Enhance student success without removing an academic/institutional barrier that impedes equitable access.
- Address something the student could otherwise manage through various approaches (time management, reduced course load, different study strategies, etc.) to address the student's academic challenges without a directly identified academic/institutional barrier.

While this process and the necessary decisions can seem easy on paper when reading a few bullet points, it is operationally much more complex. Actions essential for equal access and opportunity are not always obvious. In addition, students often do not understand the definition of access relative to nondiscrimination. If they believe they need a particular accommodation as a specific academic support for their disability,

then it feels necessary for them to have access. These philosophical differences can create tension between Disability Services, faculty, and disabled students.

An interactive process is essential and involves gathering information from the student, faculty, and others as necessary. However, when disagreements arise, Disability Services will often be the final decision-maker on behalf of the institution. Disability Services must make informed decisions through a deliberative process that involves gathering as much information as necessary to demonstrate a good faith effort to find the best solution in the respective case-by-case situation. Overall, the reviewers believe Disability Services manages this process quite well, although the time investment does take a toll on the team. At the same time, the interactive process is not solely a responsibility of Disability Services but rather a campus-wide requirement.

Disability Accessibility is a Collective Campus Responsibility

How disability offices and the campus community overall approach anything and everything (from budgeting, outreach and programming efforts, campus collaborations, student processes, faculty and administrator communication, the language used on the website, on documents, and in daily conversations, etc.) must be informed by an interest in providing disabled individuals with a genuinely equitable experience that recognizes the many disabling environmental barriers.

Ideally, access and inclusion become a campus-wide choice to act while not being just something Disability Services does to ensure inclusion, compliance, and non-discrimination for disabled individuals. Every area on campus should become more intentional and creative about proactively facilitating access because everyone must recognize their responsibility for designing accessible environments within their spheres of influence (classrooms, physical campus experience, websites, student life activities, etc.). Inclusion happens when the campus community actively explores how to remove the numerous disabling barriers while thinking beyond the basic compliance requirements.

More and more disability offices within the national disability field, with the support and guidance of the Association on Higher Education and Disability (AHEAD), are moving in a direction where disability is rightfully recognized as a critical aspect of diversity. Furthermore, recognition exists of the power of the environment (physical design, digital, web, and electronic accessibility or lack of process and procedures, societal perceptions, and personal attitudes and assumptions) as posing more of a disability barrier than the individual's disability itself. While compliance will always be a focus of a disability office, a substantial emphasis is being placed on making disability access and inclusion a matter of social justice.

With this approach, Disability Services would spend much time educating and empowering others to reduce barriers for students with disabilities by modifying the physical environment, creating accessible websites and digital materials, recognizing where policies create obstacles, and maintaining an open-minded attitude. The WSU campus goal should be to establish inclusion from the outset or actively initiate change when necessary to remove barriers to access. This work happens when committees, councils, task forces, and work groups keep accessibility on the radar.

In addition, Disability Services cannot stifle disabled individuals with burdensome expectations and barrier-filled processes. Steps that disabled students must complete to gain access to an environment not initially designed to include them (such as initial office connection procedures, accommodated exam request processes, and steps to requesting an interpreter for an open-campus event) are needed but should be kept to an absolute minimum.

Shifting the culture requires a significant undertaking and will take years to accomplish. While accommodations are essential to facilitate access when necessary (and some degree of specific accommodations will always be required), most accommodations implemented are concrete proof that access does not exist proactively or naturally.

Any lack of access does not suggest that the campus community intentionally creates barriers for disabled students. Often, barriers arise from a lack of awareness and understanding. However, the reality of the personal impact of barriers (poor physical design, web and electronic inaccessibility, cumbersome processes and procedures, negative societal perceptions, and discriminating personal attitudes and assumptions) cannot be ignored. Over time, the entire campus community must become more aware of the existing disabling barriers and how to remove those barriers through better design. This process is a marathon that cannot be won at a sprint pace. Strong partnerships, ongoing dialogue, and short- and long-term strategic planning are critical for successful outcomes.

In conjunction with and beyond these efforts, disability must be recognized as an aspect of diversity and be routinely included in the broader diversity conversations.

Acknowledging and addressing the potential disability influence within distinct populations (at-risk students, veterans, first-generation, students with financial need, etc.) keeps disability and accessibility from being an invisible and overlooked matter. Disability Services should also be represented on campus committees that focus on diversity, equity, inclusion, access, and related initiatives about broad subsets of students, and campus committees with a comprehensive focus and where numerous stakeholders involved (such as relevant presidential committees, relevant faculty senate committees, academic affair task forces, etc.).

The current WSU posture may deflect “all things disability” to Disability Services to resolve. Disability Services does not have the expertise or capacity to initiate or serve as the front-runner for all solutions. Disability Services must explore ways to change the campus narrative, which will likely include framing situations so that other stakeholders understand they must be part of, initiate or lead the solution.

Opportunities for Enhancement within the Disability Services

Critical Personnel and Resource Needs

Overview and Observations

The Disability Services team has the following **full-time staff** at present:

Position	% of Full-Time Dedicated to Student Caseload	Additional Position Notes
Director & ADA Coordinator	60% 20%	Provides vision, leadership, and oversight for the provision of services to students with disabilities; ADA Coordinator role is a dual report to OEO/Legal Counsel for one year (2023-24)
Disability Advisor and Accommodation Coordinator	80% 40%	Responsibilities are approximately split between disability advising, facilitating/assessing direct services, and strategic programming.
Disability Advisor and Transition Coordinator	80% 40%	Responsibilities are approximately split between disability advising, facilitating/assessing transition services, and strategic programming.
Disability Advisor and Case Manager Coordinator	100% 60%	Responsibilities are approximately split between disability advising and facilitating/assessing case management processes.
Disability Advisor	100% 80%	Provide comprehensive information, advice, guidance, and support services for students with disabilities throughout their experience at Weber State University, from recruitment to graduation.
Disability Advisor* New position starting July 2024	100% 80%	Provide comprehensive information, advice, guidance, and support services for students with disabilities throughout their experience at Weber State University, from recruitment to graduation.
Accommodation Disability professional	10%	Oversees ADA accommodations and auxiliary aids, including adaptive testing, accessible

		materials, notetaking, captioning, transcribing, and adaptive equipment.
Adaptive Technology	10%	Facilitate adaptive technology support for students with disabilities, including maintenance and training for students with various disabilities.
ASL Interpreting Disability professional	20% 10%	Manages services for deaf and hard-of-hearing students in classrooms and at campus events. Recruits, retains, supervises, trains, mentors, and schedules ASL service providers.
Administrative Disability professional II	70% 10%	Provides administrative support for planning, organizing, and implementing the office's functions, services, and workflow.
<p>Disability Services Staffing: 10 Total Full-Time Staff with 6.3 Full-Time Equivalent (FTE) Staff responsible for “Direct Student Caseload Work” in the current climate. Disability Services indicates that many staff are doing more caseload work than the positions intended due to current climate needs. (Where listed, the lower (red) percentages indicate the ideal caseload effort based on the job description.)</p> <p>Disability Services also receives caseload support from its team of part-time staff.</p>		

In addition to full-time staff, Disability Services has the following part-time staff (including student workers) who contribute in various ways to the office caseload and workload:

- Current: 3 – 4 student assistant advisors and assistant disability disability professionals
 - Future: Disability Services will only have one ongoing student assistant advisor position next year due to budget changes. The funds for one of the positions were eliminated and used to create a new, full-time advisor position. Two others were funded with temporary, one-time funds.
- 5 – 6 student administrative disability professionals
- 4 – 5 student accommodation disability professionals
- 12 – 15 ASL Interpreters and transcribers
- 1 transition disability professional
- 1 DREAM student director
- 3 – 4 student DREAM mentors
- 2 – 3 student DREAM program assistants
- 3 – 5 student DREAM ambassadors

Caseload and Workload

“Direct Student Caseload Work” is defined by the lead reviewer as the percentage of full-time equivalent (FTE) work dedicated to direct work with students to determine reasonable accommodations and to support facilitation within the academic experience, including but not limited to:

- Initial and follow-up meetings with students
- Responding to emails, phone calls, and walk-in questions from students and parents regarding specific academic accommodation matters
- Making reasonable accommodation decisions during meetings and through the stages of the interactive process
 - Reviewing accommodation requests individually or with a team
 - Working with faculty to address access and accommodation questions/issues within the classroom
 - Coordinating with campus-wide stakeholders as necessary
- Other related tasks

For this analysis, caseload differs from ‘workload’. Workload is defined as the amount of work to be done by someone or something. The workload expected of a campus disability resource office tends to exceed significantly what campus administrators assume disability resource professionals are responsible for handling. Workload tasks include traditional caseload responsibilities plus testing administration, ASL and captioning coordination, accessible technology management, note-taking accommodation facilitation, campus outreach efforts, and more. Meeting the workload demands in a disability office often requires a wide range of skill sets and personnel time beyond caseload support to complete the critical tasks for the office and the institution.

In the lead reviewer’s experience, as caseload demands increase, the time, attention, and energy available for workload tasks tend to decrease. Disability offices determine what is essential within the workload task list to complete and reduce or cease efforts in other areas, including campus outreach activities. At WSU, Disability Services has developed a strong “workload support staff” between its full-time and part-time employees to address these essential responsibilities. However, it may occur with significant emotional wear and tear.

The Association on Higher Education and Disability (AHEAD) has established a Program Domains, Standards, and Performance Indicators guide for expanding the vision of disability equity at the postsecondary level. They are designed to guide campus administrators’ understanding of the breadth of disability resource work beyond

caseload management. Most of the responsibilities within these domains fall under the workload concept.

In line with higher education efforts towards diversity, equity, and inclusion, the overarching goal of disability resources is to mitigate barriers to access for disabled individuals in all institutional programs, services, and activities. To reach the destination, disability resource personnel must:

- Provide leadership and collaboration in framing a commitment to disability access and equity as an integral aspect of their institution's culture (Domain 1),
- Advise and educate the campus community about disability and inclusive practices (Domain 2),
- Provide services, strategies, and accommodations to mitigate the barriers faced by individual disabled people (Domain 3),
- Administer office operations guided by a mission and with access to appropriate resources (Domain 4) and
- Enhance their professional knowledge and skills (Domain 5).

The Program Domains provides a comprehensive (though not exhaustive) list of disability resource office responsibilities. Overall, Disability Services must continue to monitor its ability to address these domains on campus, which was acknowledged in the self-study.

AHEAD data (outlined below) compares offices from a 'caseload' perspective without consideration for unique disability office workload requirements. While disability office structures vary widely, most will have at least one consultant/advisor/disability professional position whose primary purpose and contribution (100% FTE) is to support the work within the caseload definition. While these positions may still be responsible for other workload tasks, the essence of their existence is for caseload support. In many cases, due to limited staffing, some or all disability office positions with more of a workload focus will assume more enormous caseload responsibilities than required of the job description to meet increased student accommodation needs. For larger disability offices, a director (or the primary lead) should have 0% caseload work with the ability to focus on administrative tasks, which may include handling student appeals and complaints.

WSU and Disability Services Compared to AHEAD Data

The reviewers provide the following data to explore how the current staffing aligns with the existing office realities, given that approximately 2,000 students are connected with Disability Services. The U.S. Department of Education and the National Center for Education Statistics report that about 20% of undergraduates report having a disability³. The Association for Higher Education And Disability (AHEAD) historical research has suggested that approximately 6 – 10% of the students on an average college campus will connect with the disability office. Thus, the AHEAD numbers indicate that at least half of a general campus’s disabled student population does not connect with the disability office.

This table captures information gathered from the AHEAD 2022 Biennial Survey Report on Disability Resource Office Structures and Programs, which gathered usable data from 352 campuses on disability office student numbers, staff sizes, and budget, among other details. The following chart highlights WSU numbers compared to national averages reported to AHEAD. WSU’s website lists a fall student enrollment of 30,536. AHEAD offers data comparison options for institutions within a student population range of 20,000 – 29,999 and 30,000+. Since WSU is at the shallow end of the 30,000+ range, the reviewers used the 20,000 – 29,999 and the 30,000+ data sets for comparison purposes.

Disability Office Data Points for Campuses with 20,000 – 29,999 Students	AHEAD Data Average⁴	The Weber State University / Disability Services
Percentage of Disabled Students Connected with Disability Office Relative to Total Student Enrollment for Campuses	6%	6.5%
Number of Students Connected with Disability Offices	1,642	2,000
Number of Full-Time Disability Office Employees	8	10
Student to Full-Time Staff Ratio for Campuses	205:1	200:1 (400:1)*

³ Data from the most recent National Center for Education Statistics Fast Facts: Students with Disabilities report, 2019-2020 school year: [Fast Facts: Students with disabilities \(60\) \(ed.gov\)](#) (Retrieved on February 22, 2024).

⁴ AHEAD 2022 Biennial Survey Report on Disability Resource Office Structures and Programs: <https://www.ahead.org/professional-resources/information-services-portal/benchmark-data>

Campuses with 30,000+ Students	AHEAD Data Average ⁵	The Weber State University / Disability Services
Percentage of Disabled Students Connected with Disability Office Relative to Total Student Enrollment for Campuses	6%	6.5%
Number of Students Connected with Disability Offices	2,554	2,000
Number of Full-Time Disability Office Employees	17	10
Student to Full-Time Staff Ratio for Campuses	150:1	200:1 (400:1)*

*The 400:1 ratio would be based on the five (as of July 2024) Disability Advisor positions, the positions most traditionally assigned to handle caseload work within a disability office. However, each office functions differently and utilizes staff in ways that meet its unique needs.

When trying to ascertain the proper staffing allotment, much emphasis is given to assessing the appropriate student-to-staff ratio and overall student caseload for a disability office. While AHEAD would like to offer a nationally recommended student-to-staff ratio to make the issue black-and-white, no such number exists. Instead, each institution’s disability resource office is unique.

In the reviewers’ analysis, the Disability Services team operates with a student ratio 200:1. This number is low compared to the national AHEAD data. Another angle to consider the student-to-staff ratio would be based on the disability advisor role. A 400:1 ratio would only factor in the five (as of July 2024) Disability Advisor positions, the positions most traditionally assigned to handle caseload work within a disability office. However, it is essential to note that only two advisor positions are full-time advisors per the job description. The other three advisors have additional administrative responsibilities. Each campus is different. Anecdotally, many higher education disability professionals will agree that the same caseload number of students at an open enrollment institution will be more demanding than at a more selective institution. This reality may impact Disability Services’ collective experience.

The self-study provides data demonstrating how interactions with students are more than a meeting. Encounters happen routinely and in significant volume, as various accommodations are coordinated. Furthermore, Disability Services is highly involved on campus through its outreach, the DREAM program, and other initiatives. The team must also meet testing, alternative technology, interpreting, and captioning demands, among other administrative responsibilities requiring personnel resources. Disability Services

⁵ AHEAD 2022 Biennial Survey Report on Disability Resource Office Structures and Programs: <https://www.ahead.org/professional-resources/information-services-portal/benchmark-data>

provides a practical, comprehensive operation and arguably covers more ground than an average disability office. While the team is more significant than most disability offices working with 2,000 students, it fully utilizes its resources. At the same time, the emotional stress and challenges over the past 2 – 3 years have impacted the team in various ways based on information within the self-study and stakeholder feedback.

The challenges within Disability Services are a classic reason why any reported national ratios must be considered with caution because disability offices vary substantially in student population characteristics, campus culture, disability office workload requirements, how disability office staffing models utilize staff in a variety of capacities involving direct contact and administrative task management, and how staff are counted in the ratio numbers that disability offices provide. The AHEAD report does not reflect these differences, nor does the AHEAD staffing information identify how different disability offices use the average number of positions. Ultimately, Disability Services must assess their needs relative to workload completion rather than caseload assignments.

Strategic Recommendations

The reviewers recommend the following staffing considerations:

- ***Focus on Efficiencies Over More Staff for Now:*** Disability Services owns the need to enhance the database system the team uses to manage accommodations. This underutilization creates enormous inefficiencies. In addition, the team is exploring ways to be more efficient with their reasonable accommodation analysis. This review may generate more ideas for greater efficiency. Before Disability Services pursues funding for more positions, the team must become more efficient. Once enhancements have been made, the team should assess how things evolve over the next 6 – 12 months. After that time, a decision can be made whether to explore new staff positions. Should Disability Services continue to experience annual increases of 200 – 300 students, another advisor may be necessary within two years.
- ***Carefully Consider the Value of the Transition Outreach Resource:*** Disability Services dedicates one position to transition support to get into the community to prepare students for the transition to college. Sometimes, these outreach efforts are directed to students who will come to WSU. At other times, the outreach is for prospective college students in general. The transition resource investment intends to prepare students for the differences between K – 12 and college accommodations to be more prepared when coming to WSU. The objective has merit. The rules of the accommodation game change dramatically from high school to college. The lack of understanding does create more work for disability

resource professionals. However, Disability Services has no data on whether the investment provides direct meaningful returns for WSU.

For disability offices struggling in various ways to meet the essential compliance obligations on their campus, the lead reviewer believes the disability resource professionals must take an honest look at any efforts not designed to impact the here-and-now within compliance operations. Would Disability Services continue to benefit from the investment in transition resources? Or should the time dedicated to this work be repurposed for more traditional advising tasks for those students at WSU? Any changes do not mean that Disability Services cannot engage with the community at times or in different ways from how it is presently done. If the office climate stabilizes in a few years, there may be space to increase transition efforts again. Ultimately, Disability Services must determine what is most critically needed today.

- **Carefully Consider the Value of DREAM:** For similar reasons as just described, Disability Services should assess if its current resource allocation in DREAM provides the most meaningful bang for the buck. The DREAM peer mentoring numbers are not that high. Referrals greatly exceed actual usage. Should this program be reimagined for now to free resources for other, more pressing needs?
- **Cautiously Add Practicum and Internship Students:** Disability Services is discussing incorporating more interns and practicum students into disability operations as a win-win for the office and the students needing hours for these experiences. This concept can work and may provide value for Disability Services. However, the time investment (onboarding, training, coaching, addressing innocent mistakes made, etc.) will consume staff time. While this concept can be a worthwhile investment if done well, these positions can never be used to justify not hiring additional staff if more advisors are genuinely necessary. Practicum and internship students should complement the work in a disability office rather than serve a vital role that would otherwise cause the office ship to sink if they were not on board.
- **Align Staff with Compliance Efforts:** Disability Services positions should be classified as other compliance personnel to reflect the nature of the work. If Disability Services staff are paid less than similar positions dedicated to university compliance (Title IX, compliance officers, etc.), that is a problematic form of inequity.

Modifications within Disability Services Processes, Policies, Procedures, and Practices

Strengths Overview and Observations

The Disability Services team has numerous things working in its favor that positively impact operations. Identified strengths include:

- Disability Services benefits from a strong director with many years of experience in the field.
- The Disability Services team is passionate and engaged with the work that must happen on campus. Based on conversations with stakeholders, the reviewers were impressed with how connected the Disability Services is around campus and in conversations beyond academic accommodations, including the Access Council.
- Disability Services has developed a strong accommodation coordination team. The administrative work is high, time-intensive, and essential behind-the-scenes work. Having point people to coordinate the different areas (testing, note-taking, access for deaf and hard-of-hearing, alternative textbook formats, etc.) dramatically benefits students, faculty, and overall operations. Students highly appreciated the Adaptive Technology person.
- The team pushes for change and impact. These positive steps demonstrate a desire to make a difference internally and across campus. The more challenging part will be to find a way to address the daily work necessities (student accommodations) while finding time to engage with the desired initiatives and proactive efforts. Doing both the required and the proactive requires a careful balancing act. To maximize energy, any new initiatives should have a definitive purpose that advances critical goals.
- Based on what was indicated in the self-study and conversations with the team, Disability Services has a solid foundational understanding of what should constitute a reasonable accommodation and how the interactive process should be applied. As situations become more complex, it is difficult to separate emotion from logic when making reasonable accommodation decisions. Disability Services must analyze its process routinely to ensure that staff make decisions for the right reasons. In addition, having a solid process does not equate to making this work easy. Disability offices nationwide are experiencing an increase in stress levels due to a variety of complicated circumstances. The self-study acknowledged the challenges relevant to Disability Services. However, a strong foundation for this work is critical to survival, which Disability Services appears to be working toward.

- At WSU, faculty recognize and appreciate the partnership with Disability Services. They know that Disability Services is in their corner.
- The Disability Services team has a process in place to actively and collaboratively assess with faculty a reasonable number of absences as an accommodation for students approved for this accommodation. In addition, the team comprehends the importance of the interactive process and the inclusion of faculty in other case-by-case course accommodation decisions. Most disability offices defer to students and faculty to determine the details of flexible attendance (and other select) accommodations, which the Office of Civil Rights has generally denounced as a practice. Recent case guidance suggests that placing students in a position to negotiate accommodations within a relationship containing an imbalance of power is highly problematic. As stated in the Office of Civil Rights Letter to Laney College (Case no. 09-12-2317):

OCR provides the following technical assistance to the College. OCR strongly cautions the College against continuing this practice of approving accommodations subject to instructor approval. It is DSPS's function to approve accommodations with certainty based on documentation submitted by the student. When DSPS conditions an accommodation "per instructor approval," it places the student in a difficult and unfair position of having to negotiate his/her accommodation with individual instructors, who ultimately evaluate and rate the student's academic performance. An important function of DSPS is to serve as an intermediary between the student and faculty so that students do not have to be uncomfortable to reveal the nature or extent of their disability and to discuss/negotiate their accommodations with their instructors.

Disability Services is ahead of the national approach with a more actively involved approach.

The reviewers also acknowledge the Disability Services strengths listed in the self-assessment and include them here. To varying degrees, these strengths came across in the conversations the reviewers had with various stakeholders:

- Disability Services is student-centered. Student satisfaction is high, and Disability Services responds quickly and effectively to student requests.
- Faculty, staff, and students often speak highly of the Disability Services staff and their work.
- The disability services director has significant experience in disability services and provides effective leadership for compliance and social justice vision.

- Disability Services staff are top-notch, caring individuals who want to make a difference for students. Many staff members have earned degrees in Social Work from WSU. Currently, seven (7) staff members have undergraduate or graduate degrees in Social Work. This educational background and skill set are beneficial in working with students with disabilities.
- The new leadership structure improves delegation and creates a collaborative, collegial work environment.
- Disability Services staff enjoy working together and welcome input from all employment areas. New employees and interns can voice their opinions, make changes, and engage in professional development.
- Disability Services provides a breadth of disability services with financial efficiency. Disability Services are good stewards of university funds.
- Disability Services staff responds to student needs and adapts to change with resiliency and optimism.
- Disability Services staff are highly trained in their expertise and engage in cross-training to assist others during staff shortages.
- Disability Services staff thoroughly understand disability laws and policies, engage in best practices for helping students, and share this expertise on campus.

The remainder of this section highlights the significant areas of opportunity identified by the reviewers and discussed by stakeholders.

Disability Services' Mission Statement and a Campus-Wide Effort

Overview and Observations

The reviewers noted the following mission statement on the website:

Disabilities Services is charged with providing services and accommodations to qualified students with disabilities attending or planning to attend Weber State University (WSU). Disability Services supports WSU's overall mission by concentrating our efforts on the University's Core Themes of Access and Learning.

Disability Services' staff noted that all things disability tend to be funneled to their office even if others on campus could technically address the situation. While there is work to be done to shift the campus perspective, Disability Services should consider how to broaden its mission statement. The work of a disability office is about much more than services and accommodations. Within the "Access" section of the mission statement on the website, Disability Services states:

Disability Services takes a proactive role in improving the overall campus environment for individuals with disabilities by supporting and encouraging the elimination of barriers to facilities, programs, and resources.

This should be front and center and drive the work Disability Services believes and does. A possible mission statement along these lines could be:

Disability Services collaborates with faculty, staff, and students to make WSU accessible. Our expertise is at the intersection of disability and design. We work with the campus community to ensure that physical, curricular, and web environments are designed to be free of disability barriers to the greatest extent possible. Some barriers to access cannot be removed promptly, so we work one-on-one with students to determine accommodations. Disability accessibility is an ongoing collaborative endeavor between Disability Services, faculty, staff, and the campus community.

While a change in the wording of a mission statement will not lead to immediate campus changes, something along these lines that the Disability Services team collectively abides by can start to change the team mindset, which can influence how conversations and interactions occur with stakeholders. The push should be for something more than “providing services and accommodations.”

Staying in the Disability Accommodation and Social Justice Lane

Disability offices should provide resource measures that support students with disabilities who need reasonable accommodations logically connected to the disability. In addition to accommodation measures, Disability Services should also engage in conversations around social justice to shift the campus environment to be more accessible from the outset.

At WSU, Disability Services has been increasingly tasked to facilitate resources that do not align with the disabled student mission and purpose. For example:

- Disability Services has been asked to facilitate Zoom/remote accommodations for Title IX reasons because the team has experience managing this accommodation for disability purposes.
- Temporary health issues that are not disability-related issues (surgery recovery, family health issues, etc.) often go through Disability Services to support faculty in creating the appropriate support.
- Nursing and health professions that offer immunization exemption considerations use Disability Services to make these decisions.

- Faculty have sought Disability Services guidance and support for students who need more time on exams due to English as a second language. However, Disability Services is transitioning away from being involved in these cases.
- Disability Services is expected to be involved in mental health and suicide-related matters.

Disability office professionals are not medical experts or counseling disability professionals. Not all disability-related issues should go through the disability office. Just because disability resource professionals know how to handle specific accommodations for disability reasons does not mean they should be doing the same for non-disability reasons. If it is not a disability student issue with logical academic or campus accommodation connected to the disability, then Disability Services should not be the point resource. WSU must develop other practices and policies within other units to address these non-disability needs. The mindset that anything disability or near disability-related is solely a Disability Services issue must change. Furthermore, students with disabilities have other general student concerns and challenges that having nothing to do with disability.

While Disability Services needs others to take ownership of tasks that are not actual Disability Services responsibilities, Disability Services must also make sure that the team only devotes time and resources to initiatives and measures directly tied to disability and accommodations or social justice advancement for disability accessibility. Some disability offices invest in more student success-oriented resources without a clear connection to equal access. If other departments on campus can handle these student success-oriented tasks, Disability Services should not be offering these resources to disabled students solely because the student has a disability.

If Disability Services feels overwhelmed with its operations, it may be essential to explore:

- What is the vision and goals for the Disability Services team moving forward? (Everyone must be on the same page about where the ship is heading.)
- What are we currently doing that we absolutely must continue to do?
- What are we currently doing that we need to stop doing?
- What are we not doing that we need to start doing?
- What inefficiencies exist within our operations?
- Where do our processes create barriers to equal access for students?
- Where do our processes inadequately support faculty in facilitating equal access in the classroom?
- As we explore changes, what must we remember while navigating adjustments as a team and individuals?

- How can our daily operations better support the team goals and the individual aspirations and work needs of each person on the team?
- In what ways do we need to advance our social justice mission on campus? What will it take to achieve these goals?
- In what ways do we need to continue to advance the compliance efforts on campus? What will it take to achieve these goals?
- What are our vision and goals for the next three to five years? What resources do we need, and what internal changes must we make to achieve these goals?

In many ways, the team started a parallel exercise with the self-study, and the reviewers learned that the team asks these types of questions continuously. Creating greater efficiency seems to be one of the themes of the self-study. Doing so will require a collective and constant diagnostic assessment, with decisions about what needs to change within the team's operations.

Upgrade Accommodate Database

Disability Services severely underutilizes the Accommodate database system. As a result, there are numerous inefficiencies, such as needing numerous steps to send an accommodation letter to a professor. An appropriately built database could do this in seconds.

The team must invest in upgrading the system, dedicate the training, and build the time necessary to maximize effectiveness. While the growing pains of enhancing the database will be painful, the benefits will be tenfold. The reviewers do not believe that Disability Services needs more staff. However, the team does need to be more efficient in its operations. The database is an essential place to begin these improvements.

Before investing in an Accommodate upgrade, Disability Services may want to explore the other primary databases (notably Clockwork and Accessible Information Management). These options may offer more bells and whistles that might be more impactful for Disability Services and WSU faculty. Such a transition would likely not be complete by fall 2024. Thus, Disability Services may feel that a more immediate Accommodate upgrade will be the most resourceful strategy. Overall, doing nothing would be the worst strategy.

Creating a User-Friendly Student Experience

Strategic Recommendations

Based on all information gathered from stakeholders and documents analyzed, the reviewers recommend Disability Services continuously assess its operations.

The accommodation system should not be burdensome to navigate. Students should not have to invest excessive time and energy to experience the equal access that other students experience naturally. Receiving reasonable accommodations should not require students to fight for their civil rights. While student participation in the process can likely never be 100% eliminated, it should be reduced and managed to the greatest extent possible. When processes are complex or when deadlines and rules are difficult to meet, students may choose to forego accommodations rather than deal with the stress and frustration of utilizing the system.

- One example identified is that students must wait at least 1 – 2 weeks to get an appointment during most points in the semester. While these wait times are standard in the three to four weeks before and after the start of the semester, a disability office should be able to see students within 2 – 3 business days during other times of the year. Disability Services must examine why this lengthy delay exists and make adjustments to improve.
- The Disability Services documentation practices described elsewhere may be more burdensome than necessary.

Access vs. Success or Other Reasons for Accommodation Requests

Outline of a Reasonable Accommodation Decision-Making Process

As a general way to think about reasonable accommodation decision-making, there are three essential linear steps that a disability office team should consider following:

- Identify if the student is a person with a disability.
 - What is the physical or mental impairment that substantially limits one or major life activities? This is a separate and critically different question from determining if the student is diagnosed. A diagnosis does not always equate to a disability.
- Relative to a specific disability, is the requested accommodation (or what accommodations are) logical, reasonable, and necessary to provide equitable access, remove academic barriers, and ensure nondiscrimination?
 - What functional limitations intersect with the environment such that an accommodation is necessary?
 - What is the academic barrier that must be addressed?

- Disability resource professionals must ask questions to explore the academic barriers that students experience (such as problems finishing tests on time, rereading text paragraphs for 30 minutes to comprehend, etc.) and take the lead in determining if any of these challenges warrant accommodations to remove institutional barriers.
 - A student's disability-related challenges, such as difficulty with time management, do not warrant an accommodation in isolation. Accommodations must remove institutional barriers and are not designed to correct intrinsic challenges that a student experiences that are not directly connected to an institutionally created academic barrier.
 - What alternatives should be considered beyond what the student specifically requested if what was requested is not considered reasonable?
- Determine how/if the accommodation is reasonable within the academic context.
 - Some accommodations warrant case-by-case consideration within the classroom to determine if the accommodation is necessary and how if so. In some cases, these conversations may lead to a fundamental alteration assessment.
 - This analysis phase should not occur until the team has concluded that the student has a disability and has identified a logical, reasonable, and necessary accommodation.

In going through this process, Disability Services determines if a student has a disability and if the requested accommodation removes an academic barrier that results in the institution discriminating against the student by hindering equal access and opportunity.

The purpose of accommodations is not to address any of the following:

- *To support the student who could do something different to alleviate the identified “concern” when no specific academic barrier exists.* For example, the amount of time professors provide for assignments is generally not an educational barrier. (Some exceptions may exist for students with chronic health conditions.)
- *When the request is more of a want (to increase comfort or ease) than a need to remove an academic barrier.* Private testing rooms and private housing rooms are often examples of comfort-oriented accommodations, though these accommodations can sometimes be reasonable.
- *When the request, if facilitated, would solely increase the student’s ability to be successful, more than or possibly without advancing equal access.* Copies of professor notes advance student success when no other student gets these as a

study tool. Formula cards or note sheets for exams are other examples that are often success-focused and rarely with a direct connection to being reasonable and necessary for equal access.

- *When a possible accommodation would not remove an academic barrier and would extend the impact of a personal challenge.* Extra time for assignments does not often remove why the student wants the extra time.
- *Most students are experiencing similar challenges or are impacted in similar ways concerning specific expectations.* Courses are challenging, and clinicals can be demanding based on the assigned location or type of environment. Accommodations in which the primary outcome is to make these experiences easier, without a direct connection to equal access for disability reasons, are not reasonable in many cases.

The current Disability Services director gets this analysis and its benefits. The rest of the team is evolving on the learning curve in this area. Processing them as a team will take time and continual review of student situations.

Strategic Recommendations

- ***Establish Better Consistency in How Accommodations are Determined:***

There may be some variance across the disability professionals in determining how reasonable accommodations are finalized, which should be expected given the team size. How each disability professional defines access and what constitutes a reasonable accommodation may differ. Disability professionals who view individual accommodations from different angles should be expected, given different perspectives. However, the disability professionals should have the same framework to make individual assessments. Perhaps 'access' and 'reasonable accommodation' should be defined for group reference.

The Disability Services staff must balance individual autonomy to make decisions and group cohesion. The staff should consider if more structure would be beneficial. Should specific accommodation requests be automatically reviewed by the team? Should a disability professional have to consult with at least one other person before saying "no" to an accommodation request? Disability Services must be careful to avoid a significant discrepancy between disability professionals, such as when one disability professional is likelier to say "yes" to X accommodation request. In contrast, someone else will most frequently say "no." Greater written structure and rules/guidance may help the culture stay stable over time, as standards can change subtly or abruptly with personnel shifts or as people evolve on the professional learning curve. Ultimately, the team must establish a review process that everyone will follow.

No significant issues with the Disability Services process were noted, but the strategy for team reviews should be consistently monitored. If not careful, emotions and the professional desire to help the student can override making decisions rooted in reasons related to nondiscrimination compliance.

- **Assess When Professors Need to be Involved:** Disability Services fundamentally understands the need to involve faculty in specific conversations once an accommodation has been considered reasonable, such as flexibility with attendance. However, the team may sometimes gather information from faculty to determine if an accommodation should be sensible in the first place. This approach can create a lot of confusion for faculty. Professors may think that the accommodation must be applied solely by the virtue of Disability Services contacting them for more information. Faculty may see these situations as a “requirement” or a “demand, ” not an innocent inquiry.

For Disability Services, any accommodation must be reasonable as a standalone concept relative to the disability. How the accommodation might be applied, if at all, within the context of a course is a different discussion.

OCR has recently weighed in on when a disability office gets faculty involved, even if the disability office did not determine an accommodation to be reasonable for disability purposes. In a letter to the University of Wisconsin Madison on February 9, 2023 (OCR Docket No. 05-22-2357), OCR noted:

The Complainant submitted the required disability documentation and formally registered for accommodations with the Resource Center. Specifically, the Complainant requested remote access for the in-person course ASIALANG 103 (Japanese I).

On July 28, 2022, the Associate Director emailed the Complainant. He informed her that he found her qualified as a student with a disability, but her request for Remote Access was not supported by the documentation she provided. The Associate Director wrote the Complainant that he would ask the instructor of Japanese I if it would be permissible for her to take the class remotely, not as an accommodation but as an online option for the course. He encouraged the Complainant to consider attending class in person with classroom accommodations.

(Content removed for brevity)

In an interview with OCR, the Associate Director explained that the Resource Center reviews a student’s documentation and determines

whether a student is qualified for an accommodation. If the Resource Center finds the student qualified for the accommodation they will support that request. The Associate Director further explained that ultimately, “the professor is the one who decides whether, based on the course content, the nature of course, etc, it can be done or implemented.”

In an interview with OCR the Instructor explained that she consulted her three colleagues in the Japanese Program and concluded that they would not agree to allowing the Complainant to participate via remote instruction. The Instructor told OCR that was because the “class is very interactive. As soon as we introduce new material we work on it. And we spend the majority of the time in class in interactive exercises. Students are constantly working on the material with the teacher or classmates. That is how the course is designed. The benefit of in-person instruction is that I can see how a student is progressing and I observe, pay attention to how a student is speaking. I can walk right over and assist the student.”

The disability office chose to involve the professors in assessing whether the remote participation was reasonable even though the disability office did not find sufficient documentation to justify the initial request. As a result, OCR assessed this matter from the perspective of whether the fundamental alteration process was adequately applied in this case. Thus, OCR may indicate that a disability office involving professors at any point in the process moves the “accommodation” request to a fundamental alteration assessment. However, if the disability office determines that an accommodation is not reasonable for disability purposes and never involves the professor in the analysis, then a fundamental alteration assessment is not necessary.

- ***Saying “No” Is a Valid and Necessary Part of the Process:*** Disability resource professionals struggle with telling a student “no” regarding their accommodation request. Professionals enter this field with a desire to help and make things better for disabled students. However, not all accommodation requests are reasonable or appropriate. When a disability office struggles with saying “no” or even chooses to say “yes” over “no,” the office loses credibility and can create a host of problems for the institution. Impacts include:
 - Trivializing the status of being a person with a disability by looking for ways to bring everyone who asks under the umbrella of protection
 - Assuming that every difficulty experienced by a student with a disability is related to their disability – and not just related to being a student
 - Proceeding on the assumption that if the student asked for X accommodation, they must need it, and therefore, it is logical because

that is the barrier they are experiencing (rather than tying it to a barrier within or created by the institution)

- Assigning accommodations to satisfy the professional's desire to help the student while potentially disregarding institutional standards and expectations otherwise expected of all students
- Assigning accommodations because it is believed there is no harm in doing so, even if that accommodation "opportunity" would not be otherwise available to any student
 - Why should the disabled student get something just because they have a disability with no logical access connection otherwise?
- Succumbing to the student success pressures of the institution by using accommodations to advance student success without any logical connection to equal access and ensuring nondiscrimination

Reasons disability offices and disability resource professionals tend to have a hard time saying no include:

- Not having a solid foundation as to why accommodation decisions are made
- Lack of structure within the Internal decision-making process
- Not having a sound appeal structure in place
- Staff who are new(er) on the learning curve
- Not having the right language to communicate the "no."
- The Imposter Syndrome – fear that the professional is not really as competent as others doing this work, and therefore confident in the decisions
- Worrying that a different decision could be made if more/better information surfaces
- Concerns about disappointing others
- The emotional toll of being viewed as the villain for saying "no"
- Desire to avoid confrontation
- Lack of upper administrative support
- Intermingling access with success and campus influences

Disability Services must build the ability to say "no" to the process.

Accommodations are provided IF and ONLY IF the student would not have equal access to the opportunity without that accommodation. Thus, informing a student that an accommodation is impossible or does not apply is very appropriate. It may be valuable for each individual to share their personal challenges with saying "no." The team should discuss the challenges of doing so and strategize on ways to make it more palatable for individuals and the team.

- ***When Professors Approve if Disability Services Says “Yes”:*** Disability offices nationally increasingly meet with students who report that a professor in X course will implement Y accommodation as long as Disability Services approves. This practice immediately puts Disability Services in a difficult position. Staff may be tempted to say “yes” because the professor is already on board. However, if the accommodation is not generally logical, reasonable, and necessary due to disability, then why should it be acceptable for this one class? What does that mean for the other classes?

If Disability Services says “no,” the student views the disability resource professional as the “bad person” in the story. However, when it gets to this point, Disability Services may need to be just that to handle the situation correctly. If Disability Services says “no,” they must explain why to the student and inform the professor of what occurred.

Proactively, Disability Services needs to assess how to cut this off through outreach to professors.

- ***Carefully Consider the Role of Temporary Accommodations:*** Some students need temporary accommodations for temporary experiences, such as a concussion or a broken arm. These situations are valid and should be approved and coordinated as necessary.

However, many disability offices also facilitate “temporary accommodations” when the student has not provided enough information to justify a “permanent” accommodation. At times, disability resource professionals may not be sure what to do because they do not know if the situation is disability-related. In these cases, disability offices may approve temporary accommodations while giving the student more time to pursue better documentation. Truthfully, temporary accommodations in these situations are often a mechanism to avoid saying “no.” The lead reviewer believes that a student is or is not a student with a disability where a logical, reasonable, and necessary accommodation has been identified. If not, then the answer should be “no.”

Temporary accommodations often create excessive work for disability offices to track when to stop them. Furthermore, once the institution draws a line in the sand and identifies a student as someone with a disability who needs accommodation, it can be harder to say later that this status is no longer accurate.

Documentation Practices

Overview and Observations

Disability Services reported using the AHEAD documentation guidance to inform their work with students when determining reasonable accommodations. AHEAD updated its guidance on documentation in 2012, shifting how disability offices should utilize documentation. AHEAD's recommended practice for working with students to determine accommodations emphasizes the student narrative and the professional's judgment. AHEAD outlines the process as follows within the guidance document:

PRIMARY --- The student is a vital source of information regarding how they may be "limited by impairment." A student's narrative of their experience of disability, barriers, and effective and ineffective accommodations is an essential tool that, when structured by interview or questionnaire and interpreted, may be sufficient for establishing disability and a need for accommodation.

SECONDARY --- The impressions and conclusions formed by higher education disability professionals during interviews and conversations with students or in evaluating the effectiveness of previously implemented or temporary accommodations are essential forms of documentation.

TERTIARY --- Documentation from external sources may include educational or medical records, reports, and assessments created by health care providers, school psychologists, teachers, or the educational system.

Within this framework, the student's story is heard first, and the disability professional is empowered to make informed decisions about reasonable accommodations. The conversation between the two can then be captured as a case note and become valuable and viable "documentation" of disability. Under this practice, third-party documentation is used primarily to address gaps in the student's narrative and the professional's knowledge. Offices using the approach often review third-party documentation after the initial student meeting to check the student's narrative and get information to guide interventions further. It also saves considerable staff time because the scrutiny level of documentation is significantly reduced.

As stated in the AHEAD documentation guidance:

Postsecondary institutions cannot create documentation processes that are burdensome or have the effect of discouraging students from seeking the protections and accommodations to which they are entitled. ...Students should not be required to bear responsibility for achieving access through cumbersome, time-consuming processes.

The reader is cautioned not to read this recommendation to mean that third-party documentation cannot be used in decision-making. There is a place and reason for it as part of all the information collected and reviewed when assessing reasonable accommodations. As stated in AHEAD's documentation guidance:

It is often possible to evaluate whether a requested accommodation is reasonable with minimal reliance on external documentation. This is true even if the student has never received formal accommodations or recently acquired a disability and is seeking guidance to determine accommodations that might be effective. However, suppose the student cannot clearly describe how the disability is connected to a barrier and how the accommodation would provide access. In that case, the institution may need to request third-party documentation focused on illustrating that connection.

Furthermore, the AHEAD guidance notes:

Disability documentation should be current and relevant but not necessarily "recent." Disabilities are typically stable, lifelong conditions. Therefore, historical information, supplemented by interviews or self-reports, is often sufficient to describe how the condition impacts the student at the current time and in the present circumstances. Institutions should not establish blanket statements that limit the age of acceptable external documentation.

Third-party documentation from a health care provider should address gaps in understanding that the student narrative does not outline and when the disability professional and team lack information or understanding to make an informed decision about reasonable access and accommodation outcomes. The challenge with the current Disability Services model is that third-party documentation is overly vital in decision-making. The approach undoubtedly creates additional barriers for disabled students seeking equal access and consuming practitioners' time to the detriment of other work. In the reviewers's experience, these systems cause students to feel that getting accommodations from the disability office is an uphill battle, with the associated sweat and tears not necessarily worth the fight. Getting the foot in the door can be exhausting. Seeking additional accommodations later can be overwhelming. The reviewers believe the students have such feelings and experiences with the current model.

Third-party documentation is not required per the Americans with Disabilities Act or Section 504 of the Rehabilitation Act. A specific diagnosis does not need to be in place. The medical and psychological communities have created diagnoses and labels for various reasons. 504 and the ADA define disability as "a substantial limitation in one or more major life activities" due to a physical or mental impairment. The ADA references a detailed list of life activities. A substantial limit must be in place to warrant access and

accommodations, not a specific diagnostic label. At the same time, most disability offices are not designed to determine a particular diagnosis; disability office staff could technically assess the presence or absence of a substantial limit to a significant life activity, which is a disability by definition.

Strategic Recommendations

- ***Reassess the Implementation of the AHEAD Guidance on Documentation:*** Numerous stakeholders, including the Disability Services team, referenced a bottleneck in the process for students obtaining reasonable accommodations. Some students needed to wait weeks for an appointment and additional weeks to complete the documentation process. The lead reviewer encourages Disability Services to assess where the team practice may be creating barriers in this case.

During the team meeting that the reviewers observed, there were discussions about referring students back to medical professionals to obtain more information about functional limitations and insights into how the medical professional believes the student is directly impacted academically due to their medical condition. While there can be time and place to gather more documentation information to close gaps in understanding, documentation will not provide all the answers needed. Most medical professionals have limited knowledge of how the student's diagnosis translates to a disability that impacts equal access within the academic setting. The danger in continuing to have students return to medical professionals for more information includes:

- Delaying the process and a final decision until relevant information is provided
- The sought-after information may never fully arrive in the nice package that Disability Services prefers
- The information received in writing may not translate to a reasonable accommodation. Suppose Disability Services received a request from a student to never take tests due to disability, and the team requested more documentation. If that student provides "airtight" documentation that test-taking is inappropriate due to the disability, would Disability Services approve this accommodation? Some accommodations are not reasonable within higher education, and no amount of documentation should change that mindset.

Disability Services must never lose sight of its core responsibility, which is to determine if a student has a disability and if the requested accommodation removes an academic barrier that would otherwise result in the institution

discriminating against the student by hindering equal access and opportunity. Is there something about the institutional barrier that prevents a student from having the same opportunity to receive information or demonstrate their knowledge compared to similarly situated students? This frame is fundamentally different from a student having a disability and experiencing a challenge in isolation of any logical institutional barrier. If the student could do differently to remove this concern or if the “barrier” is present no matter what the student can do within their power and ability, then an accommodation is likely not the answer.

The lead reviewer believes that Disability Services would benefit from utilizing the “secondary” phase within the AHEAD process, which relies more heavily on professional judgment to close the gaps between the narrative and the documentation. Returning to the students and asking additional questions for clarification can be more expeditious and as relevant as getting more medical information.

Finally, Disability Services can inform a student that the accommodation requested is not considered reasonable based on the information provided. If the student wants to submit more substantial information or new information at a future time for reconsideration, the student can do so. The student can also undergo the appeal process based on the initial non-approval.

The challenge with this approach is that the Disability Services team is new and somewhat early in the individual and collective team learning curve. In due time, confidence in using professional judgment should and must increase. For now, seeking additional documentation can feel like a safer approach. While perhaps true at some level, the practice likely contributes heavily to the bottleneck that students experience. More importantly, the lead reviewer believes it adds excessive time to the team review process with overall inefficiency.

- ***Keep the Process Moving:*** Saying “no” may be the most linear way to keep the process moving and could be the fairest response to a student. The reviewers believe that the team may sometimes choose to ask for more documentation over telling the student that the accommodation request is not approved due to insufficient information. Additional documentation requests must serve a specific purpose, but avoiding a “no” decision cannot be one of them.

Accommodation Letter Thoughts

Strategic Recommendations

The accommodation letter has a solid overall format. Many accommodations have one or more sentences to help describe the intent of the accommodation or the action item

required, which may keep faculty and students on the same page. The descriptions also provide clear guidance as to who is responsible for what.

Specific accommodations, such as Extended Deadlines, Significant Attendance Adjustments, and Memory Aids, cannot be appropriately structured without understanding the nuances of the course. What is reasonable for one class may not be sensible for another. Disability Services does an excellent job of acknowledging this variance while recognizing the need for the interactive process to continue in these situations. A sentence at the top of the letter reads: “Some of the accommodations we provide require our department to work in conjunction with the student and his or her instructors to coordinate the accommodations required.”

For these situational accommodations, the accommodation letter includes a sentence with the accommodation description along the lines of “The student and faculty should consult with the Disability Services Advisor to determine reasonable and appropriate memory aids on a case-by-case basis based on the learning outcomes and essential elements of the course.” This excellent language guides students and faculty on what to do and acknowledges case-by-case considerations (with nothing guaranteed).

The reviewer offers the following considerations for the letter:

- ***Focus on the Design Limitations, Not the Student Limitations:*** Disability Services facilitates accommodations due to the course's limitations and barriers, not the students' limitations. The team should explore where the letter can be written to refocus the heart of the matter. Areas within the letter to perhaps adjust:
 - Confirming that the student verified the disorder, condition, or disability requiring accommodations makes the process seem like a student issue.
 - Near the end, the same letter states, “Waldo has various limitations, and the accommodations note above will help overcome these limitations, giving the student an equal opportunity to complete your course.” This statement should be removed. It paints the issue as a student one and can create faculty bias against the student by suggesting the student is “less than” or potentially incapable of succeeding in the course.

Disability Services should consider framing the letter with language that indicates the goal of the accommodation process is to remove barriers and limitations within the course that prevent equal access and opportunity to the course's shared information, experiences, and assessment activities.

- ***Do Not Deny Accommodations without Disability Services Consultation:***
Disability Services has a strong statement near the end of the letter that reads:

At the same time, we realize that some courses are taught at this institution for which these accommodations will be neither reasonable nor appropriate. If you believe your course is one of these exceptions, contact our department immediately so that we may determine a more suitable course of action. Any decision not to provide these accommodations must be made cautiously and with due consideration of all relevant information.

This guidance is excellent and on point with the interactive process. This information should perhaps be highlighted somehow so it is not lost at the bottom. Maybe a bold lead such as “Faculty Must Contact Disability Services if Concerns with Listed Accommodations:” and then lead into the statement.

Disability Services may want to consider strengthening this position by indicating that instructors should not deny accommodations listed on the letter without first consulting with Disability Services staff. The letter suggests that discussion should occur if concerns about an accommodation are unreasonable. However, faculty across campuses nationally are known to choose not to implement an accommodation because they disagree, which is problematic. Students shared this concern during their meeting with reviewers. Most reported experiences of faculty saying that they would not implement a specific accommodation or professors nudged the student not to use the accommodation initially (such as taking the test without extra time) to see how things go. Hesitant to be assertive with the person in charge of their grade, students frequently follow the professor’s lead.

The Office of Civil Rights (OCR) recently provided apparent guidance in this regard via The OCR Letter to Kent State University, No. 15-21-2136 (April 22, 2022):

OCR has found violations of Section 504 and Title II, where professors were allowed by a college to unilaterally deny academic adjustments that had been approved by the college’s disability services office. While it reasonably might be expected that a course professor would be included in the process of determining what requirements are essential to participation, allowing an individual professor to have ultimate decision-making authority is not in keeping with the diligent, well-reasoned, collaborative process that warrants accord of deference by OCR to the judgments of academic institutions.

Students will generally not question a professor's decision. Still, professors may inappropriately deny an accommodation or not know what must be considered when correctly facilitating an accommodation that is not black-and-white. If one accommodation does not apply, Disability Services and the professor assess if other paths to equal access exist. The goal is never to implement a specific accommodation. The finish line is equal access and equal opportunity to the academic and campus experience through actions that ensure the college is not discriminating against students with a disability.

Good accommodation letter language will not ensure correct faculty response in these situations, but hopefully, it will encourage faculty to pause and contact Disability Services before taking action. Students who read the letter can also understand that options exist. They can contact Disability Services if accommodations are not being approved. While these recommendations have been made, Disability Services currently does a much better job establishing this expectation than most disability offices in the lead reviewer's experience.

- ***Continuously Recommend Disability Services and Professor Collective Coordination:*** The reviewers recommend this approach as part of the interactive process because the Office of Civil Rights (OCR) has been evident in numerous letters in response to discrimination complaints that professors cannot lead the accommodation negotiation due to the power imbalance and due to limited knowledge of what should be considered to constitute a reasonable accommodation. For example, The OCR Letter to Simmons College (Complaint 01-16-2113) states:

The Student's process of requesting an extension from her Professor varied significantly from how the interactive process should work. Requiring students to request accommodations for their disabilities directly from their professors places them in the difficult and unfair position of negotiating for their accommodations with the persons responsible for evaluating and rating their academic performance. Such a process also puts professors in the unfair position of having to provide accommodations when they are not trained in such decision-making and do not have complete information about the student's needs. Individuals appropriately qualified to assess and address the needs of students with disabilities, such as the professionals of a Disability Services office, should serve as intermediaries between students and faculty so that students are not placed in a position of having to reveal confidential information regarding

the nature or extent of their disability and discuss/negotiate accommodations with their instructors.

Creating a process that does not put faculty in this position requires a robust accommodation process established by Disability Services on the front end and the commitment of faculty to work with Disability Services on the back end when necessary. Disability Services has this foundation within the current letter format and should not deviate from this approach.

- ***Clarifying the Letter's Intent:*** Beyond the letter's content, there may be an opportunity for Disability Services to inform faculty of its purpose and how it came to be. What determines access and reasonable accommodations within the classroom environment is dictated by realities at the intersection of a student's disability and the learning objectives and nuances of the classroom experience. Both of these aspects must be considered when determining whether an accommodation is reasonable. When a disability office meets with a student and creates an accommodation letter due to the discussion with the student, the listed accommodations are based on the barriers that align with the disability and what is projected to be a barrier in the environment.

However, the reality of the environment is not known when identifying reasonable disability accommodations. Faculty may recognize this disconnect when receiving a letter that lists, for example, "extra time for exams" while knowing that the course in question does not have any tests. Faculty tend to wonder why Disability Services would send something that does not align with the course. Or maybe all students in a course get extra time for exams and deadlines. Faculty perceive the letters as boilerplate documents with no individuality. However, unless Disability Services could uniquely tailor each accommodation letter through an individual analysis of disability and course involving a syllabus review and a meeting with each professor of each course that each disabled student is taking, it is impossible to outline the specific accommodations needed for each course. Disability offices do not have the resources to conduct such a detailed assessment. Thus, Disability Services broadly determines what makes sense relative to what is known about the student's disability.

Faculty need to understand why the accommodation letter disconnect exists when presented with a list of accommodations that do not align with their course or when the letters all seem the same. Faculty also need to consider that the goal is equal access and not delivering a specific accommodation. The ultimate job of the accommodation letter is to convey that the student needs equal access,

which can happen in numerous ways based on the design of the course. For this reason, the interactive process and ongoing dialogue with faculty are crucial to addressing specific course needs relative to a specific disability experience.

Structured Support for Clinical and Internship Accommodations

Overview and Observations

Faculty discussed opportunities for enhancement with the accommodation process for internships, practicums, and other fieldwork experiences. Facilitating access and accommodations in these experiences can be challenging. Often, the academic accommodations a student uses in the classroom do not translate to suitable accommodations in the internship setting because the nature of the fieldwork is so different from the classroom environment. A gray area also exists because WSU is responsible for ensuring equal access to the academic experience (such as the internship). Still, reasonable accommodations in the community will require working through the agency channels. The student is not an employee of the agency. How a reasonable accommodation is determined will vary. The program coordinating the internship must also ensure that the technical standards of the internship experience are not forsaken through any implemented accommodations. While coordinating accommodations may be complex at times, it is important to know that WSU cannot be part of any internship agreements where agencies discriminate against students or people with disabilities, including failure to facilitate reasonable accommodations.

Strategic Recommendations

With numerous variables in play (type of clinical/internship experience, student accommodation requests, options available through the agency, impact on technical standards, etc.), it would be impossible to determine standard accommodations appropriate for any given situation. Thus, Disability Services will need to develop a plan with each academic department in which these types of accommodations need to be considered. Aspects of a structured process that could be considered include:

- Preparatory conversations and planning must occur before the student's internship semester and even before placement decisions are made. Departments will have different "ideal" timelines.
- How reasonable accommodations are determined (Disability Services, department internship coordinator, faculty or agency coordinator role, etc.)? Because the accommodation is necessary in the academic setting, does that mean it must also be required in the clinical environment?
- Who oversees the final decisions (Disability Services, faculty, the clinical site, or some combination thereof)?
- What information can and cannot be shared with the clinical site?

- What is the best planning structure to prepare for these conversations? How should the student be involved? Not all students who use accommodations in the classroom will need accommodations in the clinical. When necessary, the type of accommodation in the clinical site should address barriers present within the experience.
- Monitoring and follow-up, as/if necessary, during the semester.
- Other variables relevant to a specific program.

Disability Services should meet with each department with internships, discuss current needs, and explore how the interactive process should occur. A standard operating practice could be created for each department. In essence, the reviewer recommends that Disability Services meet with each program and discuss what works well in the partnership, what opportunities exist for improvement, and what mutual goals should guide the shared access work over the next two to three years. Open communication and establishing a game plan will create the best path forward. The reviewer appreciates that these placements must be done well and that poor placement matches can impact the future partnership between the academic department and the agency.

Ultimately, internship standards should not be modified. Some students will excel academically and struggle mightily in the agency setting, even with accommodations. Part of the collaboration here may need to include a review of the program's technical standards to ensure these are written to uphold the program's expectations without inappropriately establishing standards that students with disabilities could never meet as written.

Testing Accommodations

Overview and Observations

Disability Services has proctored 800 exams in each of the past two full semesters (fall and spring). The current demand exceeds the space that Disability Services readily has available. With WSU campus testing centers that proctor exams for various reasons, conversations are underway to explore migrating most accommodated exams to the university testing center.

Strategic Recommendations

The reviewers believe that consolidating accommodated testing within the general campus testing activities would be an efficiency gain for WSU, given the better center hours available and the capacity to weave these exams into the established testing center system.

It is essential to understand that accommodated exams are not done for the benefit of the student. The university has a responsibility to ensure access to the exam setting. The professor created an exam experience with barriers that warrant accommodations that the university must facilitate. Technically, it is the faculty's responsibility to proctor the exam and to ensure that the student receives the necessary access. As a result, any campus-accommodated testing service is a resource for faculty, not for disabled students, to ensure that the faculty course test experience is fully accessible to the student.

While Disability Services will likely always need to proctor a small number of exams that require more than extra time or the use of a computer, any tests that can be moved to the testing center will create a more inclusive experience for disabled students. A successful move will require sufficient space and appropriate policies and procedures for faculty and students to coordinate exams. Diligent communication between Disability Services and the testing center will be essential. Final exam accommodations may require a different process based on space capacity. If certain expenses are incurred due to proctoring accommodated exams, this could be funded by Disability Services or the Provost Office since the testing is a faculty resource.

Disability Services must carefully assess how the team approves private room testing accommodations. Everyone gets this accommodation by default when testing in Disability Services. Disability Services cannot give this accommodation to everyone or it defeats the purpose of relocating the accommodated testing system. Most students want a private testing room as an accommodation, but it is often a preference and not an access need. Disability Services should define parameters for an access need for this accommodation (use of a human reader, use of select technology during exams, students with behaviors that could disrupt other students testing in a community space, and more).

Disability Services Space

Overview and Observations

Disability Services lacks sufficient office space for the current staff. The aesthetics and overall vibe of the current space are somewhat subdued and perhaps limit the team's collective energy. Thankfully, discussions have commenced to consider new space options for the Disability Services team. Any space changes should have offices for all current staff with room to add at least one full-time staff person. The critical accommodation support team must also have space to do their work. It can be emotionally draining to have to float around or share offices.

Disability Services is considering its role in testing accommodations moving forward, which could reduce the need for some space currently used. However, Disability Services should always be prepared to proctor a few specialized accommodated exams (tests with scribes, specific technology, etc.). With that in mind, the testing rooms within Disability Services must have as many noise-reduction materials as possible. Loud surrounding sounds near the current Disability Services' testing spaces is a significant student concern.

The Disability Services team and administrators have thoroughly analyzed the additional space options. Hopefully, decisions can be made within the budget available without too much delay. Resolving the space dilemma should be a top priority.

Davis Campus Coverage

Overview and Observations

Disability Services is currently responsible for facilitating accommodations on two campuses, Ogden and Davis. With the proliferation of virtual meeting options, Disability Services should assess if a physical presence remains necessary on the Davis Campus. Can students and faculty receive the access support needed virtually? Is there any data on concrete rationale that suggests being on campus is a benefit or a need? As a potential parallel, the reviewer's disability office is responsible for multiple campuses. Virtual meetings have eliminated the need for a physical presence in the non-main campus locations to the benefit of greater operational efficiency.

Some accommodated exams must be coordinated on the Davis campus, maybe five per week. These could be transitioned over to the Davis testing center.

Disability Services likely does not get full value for part-time staff investment on this campus. It would be best to find a way to transition away from this for one or two semesters and assess the impact. A return presence can always be incorporated if needed.

Grievance/Appeal Process

Overview and Recommendations

A student with a disability may have three areas of complaint with the accommodation or the disability accessibility experience on campus. Each area could potentially be handled differently. Whatever the final process and policy, this information must be direct and in a commonsense, “well-lighted” location. A well-outlined grievance process is a specific requirement within the ADA regulations, and Disability Services references a grievance process on its website. OCR has been commenting on grievance procedure communication. In a letter to Xavier University on October 24, 2023 (OCR Docket No. 15-21-2139), they state:

After the [redacted content] meeting, the assistant director advised the Student via e-mail that her request was continuously being evaluated, copying the ODS [redacted content] to her e-mail. On [redacted content], the University determined that the Student’s request to [redacted content] was not reasonable [redacted content]. [redacted sentence]. The assistant director told OCR that she made this determination in consultation with the ODS [redacted content] and notified the Student of the decision via e-mail copying the ODS [redacted content].

The ODS [redacted content] told OCR that after determining that the Student’s request was not related to her disability, the ODS used the interactive process to determine whether her request was a fundamental alteration or not and whether her request was reasonable regardless of disability as they wanted to provide support for her. The ODS [redacted content] told OCR that after determining that the Student’s request was not granted, the University moved to consider other accommodations during the timeframe, and they talked about the Student working with her professors [redacted content] as needed, [redacted content]. However, no such consideration of other accommodations was discussed in the [redacted content], e-mail to the Student informing her of the Program’s final decision regarding the Student’s request. Additionally, this e-mail did not advise the Student that she should contact each professor to [redacted content], nor did it advise her of the University’s Section 504 grievance procedure.

A suitable policy communicates the appeal steps available, the time frame by when to initiate an appeal, who to contact at each step, and the timeframe for a response, pending all information received.

The lead reviewer believes there are three common reasons why a student may want to appeal or grieve an accommodation matter. The possibilities and considerations for how to articulate within a process are listed.

First Appeal Possibility – Disability Office Accommodation Decisions: Students with concerns about an initial accommodation decision made by the Disability Services disability professional should have a grievance avenue to explore. These are situations in which the student thinks they should get X accommodation, but the disability professional does not have the same stance. The accommodation may not be deemed reasonable relative to the disability (such as a student who uses a wheelchair and wants extra time for tests) or might be considered unreasonable because the requested accommodation on the surface does not appear to be logically necessary given the presented disability (such as a student with ADHD who wants a course substitution for a language requirement). Whatever the reason, the student should receive an email with the decision regarding the non-approval and a brief rationale. Any steps the student can take to initiate a reconsideration of the request could be communicated in the email or at least made available on the website. To the extent possible, the appeal process should not be an overly formal, investigative experience that may intimidate a student from taking action.

The director of a disability office often handles the appeals at this stage unless the director was the one who made the initial decision. The reviewers recommend one additional review past the director, who is the ADA/504 Coordinator on many campuses. Should the Disability Services' director and the ADA/504 Coordinator's dual role remain, it may be good to create one internal layer of review between the initial decision and the ADA/504 Coordinator review. For example, appeals could go from the original team decision to a deputy director to the ADA/504 Coordinator. This can reduce the number of reviews going to the top and ensure a thorough review through a three-phase process. When it occurs, the ADA/504 Coordinator review can be the final decision on behalf of the institution. Whatever the steps, the timeline for response (rendering a decision within 7 – 10 days is ideal) should be spelled out within the process. If decisions warrant more time, consideration should be given to allow the accommodation in the interim. At the same time, the process concludes so that the student is not adversely impacted during upcoming exams, etc.

For the Disability Services, the reviewers offer the following considerations:

- **Do Not Oversell the Process or the Role of Documentation:** Within the appeals section of the Disability Services website, it states:

Disability Services (Disability Services) will make every possible effort to accommodate each disabled student's needs. In many cases, the reason Disability Services cannot authorize a specific accommodation is due to insufficient documentation. Disability Services is always happy to reconsider accommodation requests when a student provides additional

documentation. In fact, it is our policy to give the student an opportunity to provide such documentation before officially denying any accommodation request.

Disability Services should be careful not to oversell the role of the accommodation process. Technically, disability offices do not make every effort to accommodate each student's needs. However, they do make every effort to determine reasonable accommodations when the student does not have equal access or equal opportunity and may be discriminated against by the institution.

Furthermore, to suggest that insufficient documentation is the primary reason accommodations are not approved can overstate the role of documentation. Suppose Disability Services received clear documentation and supporting information that a student should never take tests due to X disability. Would Disability Services approve this accommodation request? Likely not. Or suppose the student asked for this accommodation upfront without documentation. Could the student provide documentation that would cause Disability Services to approve this request? Overall, documentation plays a role in the process but should not necessarily be seen as the driving force behind decisions. Disability Services considers other factors as well.

- **Revisit Previous Stages Only with Substantially New Information:** Whether one or two appeal options after the initial decision, Disability Services should consider only allowing students to revisit the initial stage if they can provide substantially new information compared to what was initially provided. Disability Services can inform students that a reasonable accommodation was not made due to insufficient information (which may be more than just documentation) to justify the request. Students can then appeal or pursue additional information for reconsideration at the first stage. To keep the process moving, not approving the accommodation upfront may be best at times.
- **Simplify Denial Communication:** It is common for students to receive non-approval information via email. This can then be stored in the disability office database. The list of WSU entities that receive the non-approval information within the Disability Services process is more involved than is commonly seen. While there may be a few select instances in which the non-approval information should be shared with others, this strategy should perhaps not be the norm. For students, it can add an overwhelming layer of formality to the process.

- **Consider an Online Survey Form for Appeals:** Initiating the appeal process should not be burdensome. Disability Services should consider creating a survey form that students could complete to make a formal appeal. The benefit of the form is that Disability Services can prepopulate the questions they want the student to answer when making the appeal case. This can expedite the review process when received.

Second Appeal Possibility – Fundamental Alteration Disputes: Another reason for appeal may occur if students have concerns with a professor about the professor not providing a specific accommodation in the classroom. The process referenced above does not necessarily work in these situations. For instance, Disability Services approved extra time for a test, but the professor will not implement it. Or, suppose Disability Services determined an alternative to presentations would be a reasonable accommodation, but the professor is adamant that presentations must be given in a particular course.

The best place to start is for the student to revisit Disability Services for discussion so Disability Services personnel can assess the situation. This analysis can sometimes clarify needs or identify an alternative access path. In other situations, the disability professional may agree with the professor that a particular accommodation is unreasonable and inform the student accordingly. It may also be that Disability Services and the faculty are not on the same page about the reasonableness of the accommodation, which can necessitate additional analysis or may require that Disability Services have an avenue to pursue concerns further.

Some disability offices have developed campus fundamental alteration review committees to assess whether these situations cannot be resolved on the “ground level” among Disability Services, faculty, and perhaps department leaders. There could also be a defined tipping point when the ADA/504 Coordinator becomes involved. While these situations will be rare, the student needs the opportunity to appeal such decisions through Disability Services and the ADA/504 Coordinator or through a fundamental alteration committee (the latter of which could be an “appeal” option for Disability Services as well).

Third Appeal Possibility – Disability Discrimination: The third type of disability grievance can exist if a student believes they have experienced disability discrimination based on an individual’s tone or comments or the circumstances of a specific experience. When a student cites discrimination, it may be best to direct these conversations to the ADA/504 Coordinator or an institutional equity officer on campus. Formal and informal review options usually address these matters beyond the Disability

Services. This grievance possibility is not limited to students, as faculty, staff, or guests may file complaints based on experiences.

Disability Services Website Information

Overview and Observations

The Disability Services website has sufficient information that the reviewers found well-organized. Some positives from the website review include:

- “Students: Get Started” information on the home page with clear information boxes. This information also appears when clicking on the “Students” tab.
- Video for Faculty on making classes more accessible and referring students to Disability Services.
- The reviewers appreciated the categories within the FAQs categories for easier scanning by topic.
- The student stories add a personal touch to the website and highlight Disability Services' work for WSU.

Suggestions for enhancement include:

- **Make the font for the tabs larger** so it is easier to recognize and read at first glance.
- **Keep the Announcements tab updated and as concise as possible** so that it is easier to find the other information on the home page. At least two outdated updates were present when this analysis was conducted. It would also help visually if each bullet point had a bold introduction that directs attention to what will be communicated.
- **Organize the drop-down options under the “Student” tab** in a more experiential order, such as listing “Register with Disability Services” first.
- **Explore with faculty what information should be on the website** for their benefit. Should the COVID information still be there? Would information on accommodation processes from a faculty perspective be helpful? Perhaps an advisory board or task force could offer insight.
- **Consider using survey forms where possible.** For instance, rather than asking people to email deafservices@weber.edu with information on an access request for an event, allow stakeholders to complete a form online, where these questions and information needs are already built into the form. Without a more robust database for accommodation coordination, would survey forms help with other accommodation management, such as test scheduling?
- **Consider other videos** to help the website feel more alive with a personal connection, especially for today's students.

- **Create “how to” guides** with visual cues for requesting accommodation letters, scheduling tests, and utilizing other accommodations that may involve a few steps that could overwhelm a student newly connected to Disability Services. This idea may be more impactful if the database is built beyond its current state.

Professional Development Opportunities

Overview and Recommendations

Disability Services staff must continue to have the chance to engage in professional development opportunities, ideally not just during the summer. This commitment to development seems to exist, as numerous opportunities were cited within the self-study. Given the team size, the reality may be that only 2 – 3 people can attend in-person sessions per year. AHEAD also offers a variety of virtual experiences annually, any of which could benefit the staff and their various levels of experience. Webinars can be purchased to be reviewed live or recorded for team “webinar watch gatherings.”

Beyond AHEAD trainings, YouTube and multiple online and podcast venues offer rich training content on topics such as communication, avoiding burnout, team and culture building, etc. These sessions can often be viewed for free. Disability Services should consider devoting one day per week in the summer to professional development using these “natural” resources. Perhaps different people could lead discussions on various topics. Maybe the team outlines the topics to be discussed before the start of the summer. Some of these topics could even be covered during a team retreat in the summer with the goal of 100% staff participation. The reviewers appreciated how Disability Services already pursued less expensive but powerful options, such as book studies.

Campus Human Resources offices frequently offer team training for a nominal cost. These trainings, such as personality assessments, can be a good way to have an outside person facilitate conversations so that everyone can participate equally.

Some disability offices have found benefits in having an external consultant work on team mission and goals and support in developing processes for the office. AHEAD offers this service as a resource for members (for a fee).

Disability Services Access and Accommodation Collaboration with Faculty

Overview and Observations

Faculty play a crucial role in reasonable accommodation facilitation since most accommodations occur within the academic/classroom experience. Therefore, a primary function of a disability office is to support faculty in this endeavor. While many people perceive the disability office as a student resource, it is a campus resource with faculty requiring as much time and attention as students with disabilities for effective outcomes.

Strategic Recommendations

Accordingly, the reviewers offer the following ideas for elevating faculty outreach and collaboration opportunities, some of which may build upon what Disability Services does already:

- **Utilize a Faculty Advisory Committee:** Disability Services would benefit from a faculty advisory committee. Disability Services can share perspectives and get faculty insight into various aspects of the access and accommodation process through an organized faculty advisory group. For example, this group could productively discuss what information would be helpful after receiving the accommodation letter, accommodation implementation challenges, and professional development needs, among other pertinent topics critical to faculty. In addition, open lines of communication with a core group of faculty can provide numerous benefits. This group could meet once or twice a semester, depending on the number of agenda items to be discussed. The reviewers have seen benefits with informal or formal meeting structures. The committee could be a valuable way to analyze this report and strategize the next steps to enhance the Disability Services and faculty partnership.
- **Departmental Liaisons:** Some disability resource offices have found tremendous success by identifying a liaison within each academic department to be trained by the Disability Services to be a voice for the Disability Services within the academic units. The liaison could receive detailed training from Disability Services on the why, what, and how of access and the accommodation processes. These faculty members can then be instructed to share updates with their colleagues while providing Disability Services feedback. The liaisons can answer questions from colleagues. The liaison is an informed and trusted bridge when complex issues arise within the department. The liaison model could be part of or in addition to the Faculty Advisory Committee concept. As a potentially more involved commitment for a faculty member, liaison participation should be recognized as fulfilling a professor's campus service obligation.
- **Carefully Craft Email Communication:** Disability offices often believe they have much information to share with faculty. While the intention is honorable and valid to the extent that a disability office wants to provide faculty with critical accommodation guidance, the messages sent to faculty are often cumbersome to read. Students do not read emails, and faculty increasingly do not read all of them, especially when blasted by many different units on campus. Email messages should be continuously examined. Eliminate what is not critical. Organize with subheaders, bullet points, and a flow for easy reading. Use a brief

FAQ approach in certain emails. It may be good to mix up the format across emails to draw attention or to use the same format when possible to provide consistency for faculty to know what to expect. Disability Services should also consider how to use the email subject line effectively. Faculty can offer feedback on what would be best within the WSU culture. This topic would be appropriate for a faculty advisory discussion.

- **Greater Faculty Outreach and Communication:** The reviewers recommend creating a realistic, strategic plan for proactive faculty outreach and training to broaden faculty understanding of the access and accommodation process. Elements that may be useful include:
 - **Create One-Page Information Sheets:** Disability Services should consider what critical information (accommodations, processes, course design strategies, etc.) could be outlined in concise one-page documents, perhaps using an infographic style or bullet lists.
 - **Presentation on the Why of the Accommodation Process:** Many faculty tend to believe that the purpose of the accommodation process is to facilitate the actual accommodation and/or to advance students' success. Faculty are often unaware that an accommodation aims to facilitate equal access and ensure nondiscrimination due to disability. Reframing the process with the correct focus can help faculty understand why certain actions must be considered and what information is needed to make informed decisions.
 - **Discuss Manageable Curriculum Inclusion Strategies:** Support for faculty in designing accessible courses from the ground up should be available. Pedagogical choices dictate the extent to which students may experience disability-related barriers. If a curriculum strategy works for 98% of the students in the classroom but not for the other 2%, it is ripe for reconsideration. Examples of course design with access in place from the outset include:
 - Instill a welcoming classroom climate where students feel comfortable sharing concerns or questions about the learning experience without fear of judgment or assumption of student abilities and effort.
 - Facilitate course content through various experiences (lectures, groups, hands-on engagement with articles, activities, other

means of content interaction, flipped classroom experiences, etc.).

- Balance in-class learning with a degree of online learning and discussion. For students needing more time to reflect on course content, online education can offer more significant opportunities to stay engaged and share insight.
 - Working with the class to rotate the course note-taking experience and posting the notes for all student benefits.
 - Sharing PowerPoint slides with the entire class before each course session to make it easier to take notes during class.
 - Only use videos with appropriate captions already embedded.
 - Only using handouts that are fully accessible to screen reading technology.
 - Only using course textbooks with an electronic option.
 - Eliminating pop quizzes and in-class quizzes.
 - Take-home exams or online exams instead of paper tests.
 - Use individual and group means of assessment.
 - Offering students assignment choices (choose from a paper, presentation, creating a video, or a take-home exam) would likely lead to students selecting an option that aligns with strengths and does not require accommodations.
- **Meetings with Academic Departments:** Disability Services should consider an achievable rotating meeting schedule with academic departments, perhaps once per year or every two years. With turnover, as processes change and new issues arise within departments, it is crucial to maintain the dialogue.
 - **Short videos:** An effective way to share information with faculty on a just-in-time basis is through short videos that can be accessed directly from the website. Linking the videos from the accommodation letter would provide information exactly when faculty need it. Faculty could also be used to create access and accommodation messages and topics to share with other faculty, as faculty can benefit from learning from other faculty. Videos should be no more than four minutes long and captioned.
 - **Online Course:** Disability Services should consider creating a webcourse with a broad focus. Content that includes accommodation information and a process overview (e.g., a brief overview of ADA, how accommodations are determined, and reasonable accommodation definition) could help

guide faculty new to the process or provide a helpful refresher. The course could also cover disability history, disability perceptions within the US culture, and universal design strategies. Nothing in federal guidelines requires faculty to complete such training. Nothing indicates that training cannot be necessary. The reviewers wonder if there could be ways to develop incentives to encourage voluntary participation, such as tying course completion to tenure and promotion or for recognition within their portfolios.

- **Continue to Utilize the Center for Excellence in Teaching and Learning:** There seems to be a collaboration in place between Disability Services and the Center for Excellence in Teaching and Learning. It may be such that faculty are more likely to attend workshops through the teaching center than when offered by Disability Services. These areas should explore on-going ways to engage with faculty regarding disability accessibility.
- **A Variety of Options:** One challenge with training on processes/procedures is that faculty may not consistently be involved in disability accommodation matters. Many faculty members also say they want training, but few attend sessions are offered. Furthermore, a professor may attend training on disability accommodations but not have a student who requests accommodations for two years, at which point that initial training will be long forgotten. The ideal would be to have options for professors to receive just-in-time, real-time training through web resources, videos, or other tools. Overall, the best approach would not rely on one medium but would utilize various methods to capture stakeholders in multiple ways.

Disability Services Outreach Efforts

Overview and Observations

The Disability Services team wants to evolve its general outreach efforts on campus. The team must invest in this area without taxing the top priority, which is general access and accommodation work. Disability Services is not a programming entity. However, outreach in various capacities is good for the professional soul and often energizes those involved in ways that align with their strengths and passions. Doing outreach and other initiatives can help reenergize staff for the daily accommodation coordination grind.

Strategic Recommendations

Disability Services could use the summer of 2024 to plan for further campus outreach and facilitate disability conversations. Topics and presentation formats most relevant to the campus community must be identified. In-person, Zoom, recorded webinars, and content on the Disability Services website should all be considered options. Developing content will take time. Offering three outreach options to different stakeholders in the fall should be a realistic goal.

Possible ideas:

- **Present a General Overview of Disability and Social Justice:** Reframing disability as an environmental problem, not a personal shortcoming, is critical to initiating change. As a national culture, disability is seen as a negative and bad experience with which no one wants an association. Furthermore, disabled people tend to be the object of pity. This cultural construct is pervasive on college campuses. Therefore, investing in discussions that reframe disability as a consequence of the environment (which reflects the social model⁶ of disability and the disability studies field) can be valuable. Meaningful change happens on campus when everyone is actively involved rather than expecting the Disability Services to solve all disability accessibility matters.
- **Invest Annually in a Nationally Known Speaker:** Someone who can present virtually or in person on disability, diversity, and social justice can advance the campus conversation.
- **Outline the Why, How, and What of the Access and Accommodation Process:** Support faculty and others in understanding that this work is more than completing an accommodation checklist and abiding by the accommodation letter.

⁶ From Wikipedia as gathered on March 28, 2024:

(https://en.wikipedia.org/wiki/Social_model_of_disability): The social model of disability identifies systemic barriers, derogatory attitudes, and social exclusion (intentional or inadvertent), which make it difficult or impossible for disabled people to attain their valued functioning. The social model of disability diverges from the dominant medical model of disability, which is a functional analysis of the body as a machine to be fixed in order to conform with normative values.

The social model of disability seeks to redefine disability to refer to the restrictions caused by society when it does not give equitable social and structural support according to disabled peoples' structural needs. As a simple example, if a person is unable to climb stairs, the medical model focuses on making the individual physically able to climb stairs. The social model tries to make stair-climbing unnecessary, such as by making society adapt to their needs, and assist them by replacing the stairs with a wheelchair-accessible ramp. According to the social model, the person remains disabled with respect to climbing stairs, but the disability is negligible and no longer disabling in that scenario, because the person can get to the same locations without climbing any stairs.

- **Open Discussion about Disability Discrimination and Ableism:** Discussion regarding how society's collective attitudes and mindset toward disability impact those with disabilities can elevate awareness and action.
- **Support Campus-Wide Discussions about Mental Health:** Many campuses could benefit from more conversations about mental health. Future discussions are often best led by a campus counseling center or other agencies rather than Disability Services, as the issues are much broader than accommodations. These discussions are necessary but cannot be seen as a Disability Services "thing."
- **Explore Other Invisible Disabilities and Experiences Relevant to Campus:** Specific disability-topic sessions should be used cautiously. When a session focuses on an individual's "problem," attendees continue to see disability as a personal issue. While no diagnosis establishes a perfect blueprint for how someone will be and what someone needs, there can be value in having these conversations in the proper context while acknowledging societal barriers (such as attitudes) that can oppress people with disabilities.
- **Amplify Students' Voices and Experiences:** Student panels that explore their on-campus experiences tend to be received very positively. Likewise, diversity-oriented conferences that explore the lived experiences of underrepresented groups and include a disability voice are also influential. Panel conversations may help increase disability inclusion to the extent it needs to evolve.
- **Offer Training on How Disability Services Determine that an Accommodation is Reasonable:** Understanding the interactive process and what it means for professors and supervisors is essential.
- **Create a Guide for Event Accessibility:** Numerous disability offices have developed an event accessibility guide to support event planners across campus, including student organizations, in making proactive accessibility considerations when designing an in-person or online experience. The Disability Services should consider researching what exists and adapting the existing wheels to fit the WSU culture. This approach allows others to actively contribute to a more accessible campus culture and climate.
- **Differentiate Between Accommodations at the K – 12 Level and Higher Education:** This difference is often unclear to students, parents, and higher education personnel. Distributing information on this topic can help Disability Services' initial conversations with students and families. Information can be shared in student and family orientation sessions, during transition fairs, on the Disability Services website, and in individual meetings. Disability Services does dedicate resources to this awareness. However, as resource needs are assessed, Disability Services should explore if there are other ways to

communicate this information more efficiently while repurposing staff time for daily compliance responsibilities.

Strategic Recommendations for Enhancing Campus-Wide Disability Accessibility

The reviewers offer accessibility recommendations and opportunities within different WSU operations based on information gathered during the review meetings.

Disability and Accessibility Operating Budgets

Overview and Observations

While many accommodations will not have any cost, specific accommodations, especially for interpreting and captioning, come at a price that can add up quickly. Therefore, the lead reviewer recommends a centralized budget model for all accommodations. Below are three ways in which this could be addressed.

Strategic Recommendations

- **Centralized Budget for Student Accommodations:** Disability Services should *always* manage a student access and accommodation budget separate from its operating budget.
 - Disability Services' operations budget should only contain aspects of operations specifically to Disability Services, such as office supplies and overhead. Core staff salaries could also be associated with this budget. Having dedicated funds for professional development and travel within this budget is especially critical.
 - In budget lean times, this budget could be cut by similar percentages as other department budgets if necessary.
 - The student access and accommodation budget should pertain to all things related to accommodations, such as interpreting, captioning, test accommodation expenses, technology, equipment explicitly used for accommodations, and any salaried (such as testing positions) or especially hourly staff who specifically facilitate accommodations processes. Furthermore, any accommodations associated with other departments, such as an interpreter for tutoring sessions or equipment or software to assist a blind student with specific aspects of the departmental curriculum, should also come out of this budget.
 - In budget lean times, this budget should not be part of across-the-board cuts unless previous years suggest a likely natural reduction in spending. However, as long as students with disabilities are on campus, these expenses will remain. Whereas other budget cuts

may require departments to stop programs or send one less person to a conference, facilitating necessary accommodations cannot be stopped. If administrators are adamant about cutting this budget, they must be prepared to reinvest in it if expenses exceed the adjusted allocation.

Financial administrators must recognize that the fluid nature of accommodations and the changing landscape of accommodations each academic year will lead to budget fluctuations, sometimes wildly, without a sound way to create an accurate budget forecast. However, having a budget and tracking annual expenses is essential. Three- to seven-year budget trends with details for everyday expenses (in-house interpreters and captioners, agency expenses, etc.) can be informative. While it can be hard to project the right annual amount, the reviewers believe there should be a yearly baseline budget.

Benefits of this approach include:

- The work of the disability resource office is valued when its budget is separate from accommodations. It will not be compromised by stripping essential office resources to cover accommodation costs if Disability Services only has one budget for all expenses.
 - Students with disabilities are not perceived as a drain on the budget for a department that may work closely and frequently with students.
 - Expediting the implementation of appropriate accommodations without a period of limbo awaiting debates over funding decisions while different areas determine who will pay.
 - The responsibility for access belongs to the institution, not only to Disability Services. If a budget shortfall exists due to unanticipated accommodation expenses, the institution, not Disability Services and its division, is responsible for creating a plan to make the numbers work since Disability Services facilitates access on behalf of the totality of the campus experience.
- ***Centralized Budget for Faculty and Staff Accommodations:*** Any budget system established should ensure that all staff and faculty accommodations are always paid out of a centralized account managed by the Human Resources or specific area that determines reasonable accommodations for faculty and staff. A starting amount would need to be determined based on recent expenses, especially for interpreting and captioning.

Faculty and staff accommodations should never be paid by the departments within which the employees reside. When departments are responsible for the expenses of accommodations, these challenges arise:

- Department hiring authorities may choose not to hire a highly qualified candidate with a disability if the sense is that the hiring will come at a financial cost to the department.
- Leaders may be reluctant to pay, especially if the cost limits or removes other opportunities within the department, such as faculty travel or office equipment upgrades.
- The disabled staff or faculty member may be seen as a financial drain on the department and may receive overt or covert negative attitudes from department leaders and colleagues.
- Disabled faculty and staff may choose not to request interpreters or other necessary access because they do not want to burden the department.
- The institution cannot easily track collective accommodation expenses.

By removing the department's financial (emotional) connection with staff and faculty accommodations through a centralized accommodation budget, disabled staff and faculty will have a more significant opportunity to be fully included in the department.

Consideration of an ADA/504 Coordinator

Overview and Observations

Because any public entity with fifty or more employees must designate at least one employee to coordinate ADA/504 compliance, college campuses commonly address oversight of accessibility-related issues through an ADA/504 Coordinator. (The ADA Coordinator is for the public aspect, and the 504 Coordinator is due to being a federal funding recipient). A Department of Justice (DOJ) "Dear Colleague" letter in February 2022⁷ stressed the critical need for such a role staffed by someone knowledgeable in this area. The DOJ suggested that those without a designated ADA coordinator expert are likelier to violate the ADA requirements.

The person assigned does not need to serve full-time in the role. Having other responsibilities is not unusual for the ADA/504 Coordinator. The Disability Services director serves as the interim ADA/504 Coordinator.

Traditional responsibilities of an ADA/504 Coordinator broadly include:

⁷ <https://www.justice.gov/usao-edva/pr/united-states-attorney-s-office-reminds-state-and-local-government-agencies-designate>

- Coordinate efforts to assure compliance with the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and regulations that address non-discrimination based on disability.
- Develop, interpret, and monitor University policies and procedures for accessibility for individuals with disabilities.
- Oversee and encourage institutional efforts to ensure accessibility in areas including student, employee, physical, digital, and disabled guest access to institutional resources or campus.
- Investigate complaints and render decisions on behalf of the institution.
- Train and oversee training of campus personnel on issues related to disability, accessibility, and compliance through a variety of proactive and reactive measures.
- Lead campus committees tasked with responsibility for accessibility in various areas.
- Keep accessibility and disability on the institution's radar.

Strategic Recommendations

- ***WSU Must Develop an ADA/504 Coordinator Voice on Campus:*** While a full-time ADA/504 Coordinator may or may not be necessary, the work described above must still occur, and someone needs to keep a pulse on what is and is not happening in the totality of the respective areas. Tasks that this role could and perhaps should absorb beyond appeals and grievances include:
 - Managing faculty and staff accommodation requests due to disability; working with supervisors going through the process to ensure appropriate implementation of accommodations
 - This process currently resides with Human Resources, a common campus approach. It could stay there. If interest exists in broadening the scope of the ADA/504 Coordinator role, faculty and staff accommodations could be moved.
 - Serving as a point of contact and resource for guests who need accommodation considerations
 - Campus-wide training and outreach
 - Developing strategic plans for greater physical accessibility campus-wide by partnering with Facilities and those involved in the physical campus design, layout, etc.
 - Ensuring that WSU is progressing appropriately with the digital accessibility requirements encompassing all digital areas (websites,

videos, PDFs and documents, webcourses, electronic communications, etc.)

- Review policies or be a voice during specific policy development to ensure that policies and related practices do not intentionally or unintentionally discriminate against people with disabilities

Some campuses have moved toward having the lead disability office position (such as the Disability Services director in this case), serving as the campus ADA/504 Coordinator with all the above responsibilities, and overseeing the disability office. What is being done on an interim basis could be permanent. In fact, the reviewers recommend that this interim role be permanent.

However, such an approach would warrant an investment in resources for Disability Services. The reviewers anticipate there would need to be a Deputy Director to serve as the day-to-day leader of Disability Services as it is known today. This additional role would supervise select staff, oversee all significant areas, and be the first point of administrative contact for student and faculty concerns not resolved on the front lines. This would create enough margin within the Disability Services for the campus-wide ADA/504 work to be assumed by the current director in the elevated role. It would also demonstrate more neutrality when grievances originating in Disability Services rise to the ADA/504 Coordinator level.

(If faculty and staff accommodations were to be moved here, Disability Services would need a disability professional who is dedicated to this role.)

There are other paths forward. The ADA/504 Coordinator role could be housed elsewhere within the WSU compliance family. However, the biggest mistake that campuses make is putting the ADA/504 Coordinator on the same plate as the person responsible for Title IX and other compliance areas. Unfortunately, in these cases, the ADA/504 work is continuously placed on the back burner to the university's detriment. WSU administrators would be wise to develop a plan before significant issues arise that could be problematic for the university to address.

- **Create a Digital Accessibility Coordinator Position:** Closely related to the ADA/504 Coordinator responsibilities, accessibility of all digital information and communication technology (ICT) is a primary focus in higher education nationally. In the summer of 2023, the DOJ published a Notice of Proposed Rulemaking (NPRM), proposing to update the ADA regulations for Title II to add more specific requirements about web and mobile application (app) accessibility. Final changes and adoptions will be posted in the coming months, impacting

what public higher education institutions (among other public businesses) are expected to do about digital accessibility. Information regarding what is projected to be in place has been posted.⁸ Universities will be on notice to take action.

The ADA/504 Coordinator cannot do this work alone. A centralized point person, such as a Digital Accessibility Coordinator, would be a beneficial authority voice and quarterback of resources and collective efforts. As more information comes from the Department of Justice on what entities must do, WSU should prepare to pivot to meet the established requirements. Thankfully, many people at WSU are already involved in various digital accessibility efforts (websites, documents, Canvas, procurement, etc.). However, the lack of a point person increases the risk of everyone not moving in the same direction while critical areas slip through the cracks.

Broader Campus Accessibility

Overview and Observations

Disability Services knows that more needs to be done on campus regarding broader disability accessibility. Through the efforts of others, including a more intentional coordinated effort via a campus Access Council, some positive progress has been made, including but not limited to:

- An animals on campus policy
- Graduation being fully accessible with interpreters and captioning
- Digital accessibility (Websites, digital product purchases, Canvas, library content accessibility, documents, and videos)
- Trainings have been developed for WCAG understanding, web accessibility, and other online resources and modules to training on accessibility.

The campus needs to continue to invest in these conversations and progress.

Strategic Recommendations

Thoughts for advancing WSU more broadly relative to disability accessibility include:

- **Create Goals for the Access Council:** What will the council's purpose be? How will progress be measured? Investment areas might include digital accessibility, considering campus accessibility standards beyond the ADA architectural code (which is not a comprehensive accessibility guide), adding more actuators, better accommodation planning for campus guests, etc.

⁸ <https://www.ada.gov/resources/2023-07-20-web-nprm/>

- **Establish a Digital Accessibility Coordinator** (importance described elsewhere)
- **Present a More Public-Facing Barrier Report Form:** Currently, on the Facilities Management website, a form to report campus barriers exists. However, there may be little public awareness of this tool. Individuals will often recognize issues around campus, such as a broken actuator/power door or a new crack in a pathway that would impede access for wheelchair or scooter users. However, people often do not know what to do with this information. Some campuses have created a barrier report form that allows anyone to complete a quick survey with barrier information. If in place, this survey can be sent to the Disability Services, the ADA/504 Coordinator, or someone else. While the recipient will likely not be the person who can assess and address the issue, the person can forward the information to the right contacts on campus and track progress. These reports can also be a way to track patterns that could inform strategic planning. It is recommended not to limit the form to physical accessibility but to receive any concerns related to digital accessibility, campus events, or other areas of need.
- **Broken Elevator Communication:** Stakeholders indicated that broken elevators may be more common than desired on campus. There must be a way to alert those impacted by a down elevator. Perhaps there is a mass email or a public notice to the campus community. Within Disability Services, maybe students could be invited to sign up for email alerts or other forms of communication. Social media may be a useful option. Ultimately, it is recommended that some sort of communication plan be implemented.
- **Disability Accessibility Needs a Voice and Consideration at the Important Tables:** Disability accessibility impacts nearly every facet of the campus experience. Central campus changes to processes and practices (such as online learning changes, academic policy changes, construction and renovation, procurement processes, campus event practices, digital communication, etc.) can negatively impact disability accessibility if not considered in advance. Sometimes, changes cannot be undone, and the university experiences significant (perhaps expensive) repercussions. WSU should identify which committees and practices have a broad campus impact and ensure a voice for disability accessibility exists. Initially, it may need to be the ADA/504 Coordinator and Disability Services. However, as constituents evolve in their understanding of this area, these stakeholders need to keep the disability perspective at the

forefront of decisions naturally. Disability Services cannot be actively present on all committees and be part of all side conversations when critical decisions are made.

It may help to include disability accessibility within the job descriptions of certain positions in these prominent areas as an additional way to keep these efforts on the radar.

- **Event Accessibility:** When flyers or other marketing materials are disseminated regarding the event, adding access statements to the flyer is good practice. WSU must determine how to make such a practice a standard expectation in event communication. A statement like this can work: “If you need equal access or accommodation considerations for this event, please contact (event organizer).” The contact should be the event host and not Disability Services. If additional space exists on the flyer, adding the following is beneficial: “Reasonable accommodations may take time to implement.” This notice can be a subtle reminder to notify in advance. Some campuses use the active wheelchair icon next to the flyer message to enhance the clarity of purpose.



Beyond flyer communication, WSU should explore what standards and practices need to be the norm for events to ensure as broad of accessibility as possible. Developing and disseminating event accessibility guidelines that event organizers follow will demonstrate a general campus-wide commitment to disability accessibility and inclusion. Event hosts (commencement planners, comedy show organizers, etc.) must build accessibility coordination into their event planning.