

ADA Disability Services Guidelines

LOUISIANA
COMMUNITY
& TECHNICAL
COLLEGE SYSTEM



*Changing Lives,
Creating Futures*

Louisiana Community and Technical College System
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Disability Laws in Postsecondary Education

If you have a disability, you are entitled by law to equal access to university programs. There are two laws that protect persons with disabilities in postsecondary education: The Rehabilitation Act of 1973 and the 1990 Americans with Disabilities Act.

The Rehabilitation Act

Title V of the Rehabilitation Act of 1973 is generally regarded as the first civil rights legislation for people with disabilities on the national level. Section 504 of the Rehabilitation Act is a program access statute. It prohibits discrimination on the basis of disability in any program or activity offered by an entity or institution receiving federal funds.

Section 504 states (as amended): "No otherwise qualified person with a disability in the United States...shall, solely on the basis of disability, be denied access to, or the benefits of, or be subjected to discrimination under any program or activity provided by any institution receiving federal financial assistance."

Under Section 504, institutions were required to appoint and maintain at least one person to coordinate the efforts to comply with the requirements of Section 504 (Section 504 Coordinator). This individual or office has the ongoing responsibility of assuring that the institution/agency/organization practices nondiscrimination on the basis of disability and should be included in any grievance procedures developed to address possible instances of discrimination brought against the institution.

The Americans with Disability Act (ADA)

The ADA is a federal civil rights statute that prohibits discrimination against people with disabilities. There are four sections in the law: employment, government, public accommodations, and telecommunications. The ADA adds more protection for disabled persons to the Rehabilitation Act of 1973. The ADA is designed to remove barriers that prevent qualified individuals with disabilities from enjoying the same opportunities that are available to persons without disabilities.

Colleges and Universities are covered in many ways under the ADA. Employment is addressed by Title I, accessibility provided by public and private entities Title II and III, and miscellaneous items are covered under Title V.

Disability Definition

ADA defines a person with a disability as a person:

- With a physical or mental impairment that substantially limits one or more major life activities,
- Who has a record of the disability, or
- Who is regarded as having the disability?

Major Life Activity

Any function, including but not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Documentation

A student is required to submit documentation of a disability only at the initial application for services. Documentation must specifically support the need for any accommodation(s) requested. No accommodation(s) will be given without appropriate documentation. If another evaluation is obtained after the initial intake or the disability has changed in some way, specifically worsened and/or limitations have increased, further documentation must be presented. All accommodation(s) are decided on a case-by-case basis and are subject to change if disability-based needs change. The College is not responsible for evaluation/re-evaluation expenses or any other expenses involved in obtaining required accommodations.

Accommodation Request

Students must "request accommodation(s)" for each semester. This is done by filling out an Accommodation Request Form prior to the beginning of each semester to ensure the provision of appropriate accommodation(s). Although it is not a requirement, it is always best to request accommodations at least two weeks prior to the beginning of the semester, since accommodations are not retroactive.

Specialized services such as a reader, notetaker, interpreter, etc. should be indicated on the accommodation request form. Students may request an academic accommodation, but the University is not required to provide the accommodation requested, if an alternative accommodation is effective.

Accommodation Letters

Students will receive accommodation letters based on information received from the Accommodation Request Form. Accommodation letters must be picked up in person by the student requesting the accommodation(s). Students are responsible for distributing their accommodation letters to their professors and discussing their accommodation(s) with their professors.

Receiving Accommodations

Receiving accommodations should not be regarded as giving the student, "special privileges," but rather as minimizing the impact of the disability to the greatest extent possible. It is important to remember that the professor expects the same academic performance from students with disabilities as the other students. The ADA and Section 504 did not intend that institutions pass students as a result of their disability. Students with disabilities must adhere to the code of conduct required by the institution for all students.

Eligibility for Services

A person is eligible for accommodations if he/she:

- Is considered a person with a disability,
- Has identified his/herself to the institution,
- Has presented appropriate documentation regarding the disability to the institution, and needs accommodations.

Documentation Guidelines

Colleges differ from high schools regarding the first step of providing academic accommodations. When a person with a disability needs an academic accommodation in high school, a team of people is assigned to discuss that student's classroom instructional accommodations. This is not the case with colleges and universities. The legislation states that in order to receive services from a university, a person with a disability must first disclose their disability to the institution. In most cases, the person would disclose this to the Office of Disability Services on campus. You must bring to the appropriate documentation regarding your disability.

The name, title, the professional credentials of the evaluator (including license or certification as well as the area of specialization), place of employment, and state in which the individual practices, should clearly be stated on the documentation for all disabilities.

Additionally, appropriate documentation must meet the following criteria:

Attention Deficits/Hyperactivity Disorders

1. The documentation must be comprehensive and must discuss current problems associated with the diagnosis. The documentation of the ADD/ADHD provided to the institution must be within three years prior to the student's request for accommodation(s).
2. Professionals conducting assessments, rendering diagnoses of specific psychological disabilities and making recommendations for appropriate accommodation(s) must be qualified to do so (e.g., licensed psychiatrist, psychologist, medical doctor, or other qualified mental health professional)
3. The documentation *must* identify the Axis diagnosis of ADD/ADHD according to the Diagnostic and Statistical Manual of Mental Disorders: Fourth Edition, (DSM IV).
4. The documentation must include relevant historical information-Information must include all of the following:
 - a. Evidence of early impairment
 - b. Family
 - c. Academic
 - d. Medical
 - e. Psychosocial
 - f. Employment
5. The documentation *must* discuss functional limitations and symptoms caused by the disability in an academic environment in which the student is requesting accommodation(s).
6. The documentation should recommend accommodation(s) to compensate for the identified functional limitations.
7. The documentation should list current medication, dosages, and existing (not possible) side effects.
8. The documentation must include an interpretative summary of all relevant information including but not limited to the items above.

Learning Disabilities

Documentation for a learning disability consists of a full psychoeducational evaluation. The evaluation used must be comprehensive and current. An evaluation performed before age 18 must have been performed within three years prior to the student's request for accommodation(s). An evaluation performed during or after age 18 must be no more than five years old. It is not acceptable for an evaluation to consist of only one test for the purpose of diagnosis. All assessment instruments used in the evaluation must have age appropriate norms for high school seniors, college freshmen, or older students. All standardized measures must be represented by standardized scores or percentile ranks based on published norms (grade equivalents are not useful without standardized scores).

The evaluation must be from one of the following types of licensed psychologist: clinical, educational, school, neuropsychologist, or from a learning disability specialist.

Documentation must include all of the following:

- 1) Diagnostic interview
- 2) Assessment of aptitude-testing must include at least one of the following:
 - a. Wechsler Adult Intelligence Scale-Revised
 - b. Woodcock-Johnson Psychoeducational Battery-Revised: Test of Cognitive Ability
 - c. Kaufman Adolescent and Adult Intelligence
 - d. Stanford-Binet Intelligence Scale (4th ed.)
- 3) Academic achievement-Testing must include at least one (1) of the following:
 - a. Scholastic Abilities for Adult
 - b. Stanford Test of Academic Skills
 - c. Woodcock-Johnson Psychoeducational Battery-Revised; Test of Achievement
 - d. Wechsler Individual Achievement Test
- 4) Information processing
- 5) DSM-IV Diagnosis
- 6) Clinical summary containing suggestions for academic accommodations
- 7) Testing should be current within the last three years.

Physical Disabilities

Students with disabilities that are clearly visible by outward manifestations of the disability shall be afforded accommodation(s) that are clearly justified by the nature of their disability (e.g., a reader for a student who is blind). The institution reserves the right to request documentation when a requested accommodation cannot be easily justified and determined by the outward effects of the student's disabling condition. When disability related documentation is requested, the student shall follow the documentation guidelines for students with disabilities that are not clearly visible.

Students with disabilities that are not clearly visible by outward manifestations of the disability (chronic health disorders; and, with the exception of learning disabilities, AD/HD and psychological disorders) must provide documentation that meets the following criteria:

1. The documentation must be comprehensive and current (within three years prior to the student's request for accommodation(s) dependent upon the disorder and accommodation(s) requested).
2. Professionals conducting assessments, rendering diagnoses of specific disabilities, and making recommendations for appropriate accommodation(s) must be qualified to do so (e.g., physician).
3. The documentation must identify an unequivocal diagnosis of a specific disability.
4. The documentation must discuss functional limitations caused by the disability in an academic environment or the environment in which the student is requesting accommodation(s).
5. The documentation should recommend accommodation(s) to compensate for the identified functional limitations.
6. The documentation should list current medication, dosages, and existing (not possible) side effects.

Psychological Disabilities

1. The documentation must be comprehensive and must discuss current problems associated with the diagnosis. The documentation of psychological disabilities provided to the institution must be within three years prior to the student's request for accommodation(s).
2. Professionals conducting assessments, rendering diagnosis of specific psychological disabilities and making recommendations for appropriate accommodation(s) must be qualified to do so (e.g., licensed psychiatrist, psychologist, medical doctor, or other qualified mental health professional).
3. The documentation must identify a diagnosis of a psychological disorder according to the Diagnostic and Statistical Manual of Mental Disorders: Fourth Edition (DSM-IV).
4. The documentation must discuss functional limitations caused by the disability in an academic environment or the environment in which the student is requesting accommodation(s).
5. The documentation should recommend accommodations(s) to compensate for the identified functional limitations.
6. The documentation should list current medication, dosages, and existing (not possible) side effects.

Deaf and Hard of Hearing

Persons who are deaf and hard of hearing may have different communication preferences and rely on residual hearing, lip reading, captioning, or perhaps English based American Sign Language. These services are designed to provide accommodations to deaf and hard of hearing students attending the college.

If interpreting services are needed for any college-related events (i.e. teacher meetings, study sessions, tutoring sessions, etc.) other than the regular class schedule, contact the Office of Disability Services and submit an Interpreter Request Form at least 24 hours in advance.

Appropriate Uses of Communication Facilitators (CF)

1. Students should recognize that CFs are professionals and are there to facilitate communication. Students should not expect or request any other function from a CF.
2. Students should make their requests for additional CF services (i.e. teacher meetings, study sessions, tutoring, etc) at least 24 hours in advance by using the appropriate form. Students should be aware that CFs cannot directly accommodate requests.
3. Students should notify the Student Personnel Services Officer when scheduled CF services are not needed. Failure to do so will result in a no-show. See the no-show policy.
4. Students should notify the ODS immediately if there are any problems with services being provided.
5. Students are responsible for all course content, tests, and other course requirements. CFs are not responsible for the grades the student receives.
6. Students are allowed a 10-minute grace period to show up for class. The CFs are instructed to leave class after 10 minutes if the student does not arrive and a "no-show" will be documented.

Documentation Guidelines

Documentation must be from a licensed Audiologist that includes a diagnosis and information on how the disability has an impact in an academic environment.

No-Show Policy

If communication facilitation services have been requested, and you know that you will be unable to attend class, you should provide ODS with at least 24 hour advanced notice so that CFs can be informed. In some situations, students may not be able to provide 24 hours notice; however, any advanced notice is considered sufficient. Failure to provide any advanced notice is considered a "no-show." To give notice a student should:

1. Call the ODS office and leave a TDD message.
2. Contact ODS and speak either in person or leave a message by voice or relay.

ACCOMMODATIONS/ AUXILLARY AIDS AND SERVICES

Under Section 504 and the ADA, the terms "auxiliary aids and services" include: qualified interpreters, notetakers, transcription services, written materials, telephone handset amplifiers, devices or other similar services and actions.

In postsecondary education, classroom accommodations are referred to as "academic accommodations." The accommodation(s)/service(s) available to students are based on the individual student's disability-related needs. Accommodation(s)/service(s) include, but are not limited to, the following:

PRIORITY REGISTRATION

Students with disabilities that require priority registration may register early each academic semester. The purpose of priority registration is to allow students with disabilities the ability to schedule classes in a manner that allows their schedule to conform to the needs associated with their disability. For example, students with diabetes taking medication may select their classes along their medication schedule; or to schedule classes early which allows time for those students who need to have classes moved to accessible buildings.

EXTENDED TIME

In-Class Assignments and Exams

Extended time on in-class exams is an accommodation for many disabilities. In most cases the extended time will be equal to time-and-a-half of the time allotted for the assignment or exam. ODS will not grant a request for untimed or unlimited time on in-class assignments or exams. Students are required to work out arrangements for extended time on in-class assignments and exams with their instructors at least 3 days in advance

Out of Class Assignments

Extended time on out of class assignments and exams is an accommodation for many disabilities. The amount of extended time on out of class assignments may differ from that granted in proportion to in-class assignments and exams. Students are required to have open communication with their professors regarding when assignments will be completed give professors adequate (at least 3 days) notice before each use of this accommodation. The communication between the student and professors should not be strictly by email unless agreed upon by both the student and professor. If a student sends an email to or leaves a telephone message for a professor stating that he/she plans to use the extended time for an out of class assignment and receives no response from the professor, then open communication has not taken place. Students are required to complete all assignments by the end of the semester.

Consideration for Absences

Consideration for absences can be given to students who have physical and psychological disabilities that prevent them from attending class on a regular basis. This accommodation is only applicable when missing class due to a disability. It is still the student's responsibility to fulfill all course requirements. It is also the student's responsibility to contact the professor to make arrangements for missed class periods as soon as possible prior to or after missing class (typically within three days after missing class). Students are required to have open communication with their professors regarding missed class periods and when makeup assignments and exams will be completed. The communication between the student and the professor should not be strictly by email unless agreed upon by both the student and the professor. Class attendance is extremely important and while a student may have consideration for absences, there is a point when there have been too many missed classes to make up the work.

Consideration for Spelling

Students with dyslexia and other visual processing disabilities may request consideration for spelling. If you have a hand held spell checker you may choose to use it in place of "consideration for spelling". You may not receive both accommodations.

Alternative Test Format

Students with learning disabilities and traumatic brain injuries may request an alternative test format if their documentation specifically makes reference to alternative test formats. For example, the student may request a short answer test to replace an essay test or a multiple choice test and vice versa. This accommodation may not be reasonable if changing the test format fundamentally alters the test/content.

Tape Recorded Textbooks and Other Alternative Formats

The ODS can assist students who have vision, learning, and physical disabilities when ordering taped textbooks. This is usually done through Recordings for the Blind and Dyslexic (RFB&D). Students should make this request known as far in advance as possible as it often takes several weeks or months to get textbooks from RFB&D. Assistance can be provided through the office in obtaining materials in Braille, cassette tape, large print and raised line drawings. Students must provide the office a reasonable amount of time to provide the required material in alternative formats.

Readers

Readers are available to assist with tests for students who have visual impairments or severe reading disorders. Typically this accommodation is given to students who receive textbooks on tape. Students using readers may make arrangements to take their tests through the office. In order to do so, a Testing Accommodation Form must be completed and submitted to appropriate personnel and the professor at least 3 days prior to the test date.

Scribes

Scribes are available to assist with tests for students who do not have their dominant hand or for students with visual impairments. Students using scribes may make arrangements to take their test through the office. In order to do so, a Testing Accommodation Form must be completed and submitted to appropriate personnel and the professor at least 3 days prior to the test date.

No Scantrons

Some students with visual disabilities, severe learning disabilities or severe AD/HD have difficulty keeping their place on scantron forms. Students who have been granted "No Scantron" as an accommodation may write their answers directly on the exam.

Distraction-reduced Environment

This accommodation is typically used by students with anxiety disorders, severe AD/HD and those students who need test assistants (i.e. readers). Distraction-reduced environment for testing does mean testing in a separate room from the rest of the class. However, distraction-reduced environment for testing does not necessarily mean a private room for testing.

Accessible Classrooms and University Functions

It is your responsibility to notify the ODS as to where your classes are located. After you know where the classes will be offered, you should notify ODS as soon as possible to ensure that classes located in inaccessible buildings can be moved.

Notetaker

The Institution primarily utilizes a volunteer notetaker system. Students are asked to make the initial effort in finding notetakers for their classes. Students who are unable or uncomfortable with finding a notetaker in their classes will be assisted by the Office of Disability Services in finding notetakers. The student will be provided with a letter to take to their professor instructing him/her to make an anonymous announcement to the class soliciting a notetaker and then putting the prospective notetaker in contact with the student. If a notetaker is still not identified the student should speak with their advisor to make other arrangements. Upon request, the notetaker will be provided with NCR notetaker paper. Some students, those who are physically unable to take their own notes (i.e. students who are deaf or students who do not have use of their dominant hand) may be eligible to receive a paid notetaker. The student is still responsible for selecting their preference of notetaker identification method. Once the notetaker is selected, the student should direct them to the special populations counselor in order for them to be hired. If upon the basis of your disability documentation you are entitled to receive notetaker services, this accommodation does not, and should not replace or substitute for class attendance. Notetakers will not be responsible for providing notes for you for missed class periods, unless your accommodation is consideration for absences. If this is the case, this should be discussed with the notetaker at the beginning of the semester.

Communication Facilitators

All captionists, interpreters, and transliterators that provide services are referred to as communication facilitators.

If interpreting services are needed for any college-related events (i.e. teacher meetings, study sessions, tutoring sessions, etc.) other than the regular class schedule, contact special populations counselor and submit an Interpreter Request Form at least 24 hours in advance.

Appropriate Uses of Communication Facilitators (CF)

1. Students should recognize that CFs are professionals and are there to facilitate communication. Students should not expect or request any other function from a CF.
2. Students should make their requests for additional CF services (i.e. teacher meetings, study sessions, tutoring, etc) at least 24 hours in advance to by using the appropriate form. Students should be aware that CFs cannot directly accommodate requests for services.
3. Students should notify the special populations counselor whenever scheduled CF services are not needed. Failure to do so will result in a no-show. See the no-show policy.
4. Students should notify the counselor immediately if there are any problems with services being provided.
5. Students are responsible for all course content, tests, and other course requirements. CFs are not responsible for the grades the student receives.
6. Students are allowed 10-minute grace period to show up for class. The CFs are instructed to leave class after 10 minutes if the student does not arrive and a "no-show" will be documented.

Assistive Listening Devices

An assistive listening device (ALD) is a system in which the student wears a headpiece, similar to radio headphones, and the professor wears a small microphone. The professor's voice is then amplified for the student through the headphones. In order to receive an ALD, students should make this request known to the counselor in advance of the beginning semester.

Course Waivers/Course Substitutions

A substitution is not an appropriate modification if the course or content is found to be essential to the area of study and making a substitution would require a "substantial change in an essential element of the curriculum." It is the Institution's responsibility to show that a certain class or area is essential to a certain course of study, and if there were any changes in the curriculum that it would substantially alter the curriculum. This is decided on a case-by-case basis.

Financial Responsibility for Accommodation(s)

The Institution is responsible for the provision of the appropriate auxiliary aids and services available at no cost to the student. The Institution cannot place a limit on its expenditure for auxiliary aids or services.

Personal Services such as a Personal Care Attendant (PCA)

Institutions are not responsible to provide PCAs, readers for personal use or study, or other devices or services of a personal nature.

Rights & Responsibilities of Students

Students with Disabilities have the RIGHT to:

- Equal access, programs, services, jobs and activities available through the college
- Reasonable and appropriate accommodations
- Expect all disability related information to be treated confidential

Students with Disabilities have the RESPONSIBILITY to:

- Meet the colleges qualifications and essential technical, academic and institutional standards
- Provide appropriate documentation to the college
- Request accommodations in a timely manner
- Provide college with accommodation letter
- Act as self-advocate
- Pay any costs associated with providing documentation necessary to receive documentation

RIGHTS and RESPONSIBILITIES of the Institution:

- Identify and establish appropriate accommodation for courses, programs, services, activities and facilities
- Request and receive appropriate documentation that supports the need for accommodation
- Deny request for accommodations when appropriate documentation has not been received validating the need for accommodations
- Deny accommodations that violate an essential component of the course, program or activity
- Maintain confidentiality

Although students have certain rights under the law, they also have certain responsibilities that go along with these rights. Any misuse or abuse of services will lead to cancellation of these services. One form of misuse of services is requesting services but failing to use those services.

No-Show Policy

If communication facilitation services have been requested, and you know that you will be unable to attend class, you should provide the ODS with at least 24 hour advanced notice so that CFs can be informed. In some situations, students may not be able to provide 24 hours notice; however, any advanced notice is considered sufficient. Failure to provide any advanced notice is considered a "no-show." Failure to give notice may result in the suspension of services. To give notice a student should:

1. Call the ODS and leave a TDD message.
2. Contact ODS and speak either in person or leave a message by voice or relay.

CONFIDENTIALITY

Section 504 states that any information regarding a person's disability gained from medical examinations to the appropriate post-admission investigation shall be considered confidential and shall be shared with others within the college or university on a need-to-know basis and the student will be contacted in this instance. In other words, faculty members do not need to have access to information regarding a student's disability, only the accommodation(s) that are appropriate and necessary to meet the student's needs. Confidential information is kept in a separate file and is not considered a part of a student's educational record.

GRIEVANCE AND APPEAL PROCEDURES

Disagreeing with Accommodation(s) provided by the Disability Services Office

Any student who disagrees with the academic accommodation(s) being presented should speak to their Disability Services Coordinator. Express your concerns and be prepared to offer alternative solutions. Remember that the Institution has to provide "appropriate academic accommodation(s)," but if the institution can provide you with an auxiliary aid or accommodation that is equally as effective as the one being requested and less expensive, the institution is not required to provide the more expensive one.

If, after the intervention of DS, there is not satisfaction on the part of the student regarding the proposed accommodation or the provision of the accommodation, the student may file a formal grievance. The institution's grievance procedures should be followed prior to contacting an outside agency.

STATE AND LOCAL RESOURCES

LCTCS

Compliance Officer
822 Neosho Ave
Baton Rouge, LA 70802
(225)219-8700

Governor's Office of Disability Affairs
P.O. Box 94004
Baton Rouge, LA 70804
(225)219-7547

Louisiana Assoc. for the Deaf
3112 Valley Creek, Suite C
Baton Rouge, LA 70808
(225)923-1266 (V/TDD)

Louisiana Commission for the Deaf
8225 Florida Blvd.
Baton Rouge, LA 70806
(225)925-4175

Resources for Independent Living
701 Main Street
Baton Rouge, LA 70802-5527
(225) 379-3845

Louisiana Hotlines for the Blind &
Physically Handicapped
760 N. 3rd Street
Baton Rouge, LA 70802
(225)342-4944

Louisiana Rehabilitation Services
3651 Cedarcrest Avenue
Baton Rouge, LA 70816
(225)295-8900
(225)295-8959 (TDD)

ADA Hotline
P.O. Box 1471
Baton Rouge, LA 70821
(225)389-7800

Computer Aided Interpretation
11329 Family Road
Gonzales, LA 70737
(225)644-2629

LATAN (LA Assistive Technology
Access Network)
3042 Old Forge Drive, Suite B
Baton Rouge, LA 70808
(225)925-9500

Baton Rouge Mental Health Center
4615 Government Street
Baton Rouge, LA 70806
(225) 925-1906

Advocacy Center for the Elderly and
Disabled
200 Lafayette Street, Suite 502
Baton Rouge, LA 70801
(225)383-3572

NATIONAL RESOURCES

Office on the ADA
Civil Rights Division
P.O. Box 66118
Washington, DC 20035-6118
(202)514-0301
(202)514-0381 (TDD)

Equal Employment Opportunity Commission
1801 L. Street, NW
Washington, DC 20507
(202)663-4900
(800)800-3302 (TDD)

Architectural & Transportation
Barriers Compliance Board
1111 18th Street NW
Suite 501
Washington, DC 20036
(800)USA-ABLE (TDD)

Department of Transportation
400 Seventh Street NW
Washington, DC 20590
(202)366-9305
(202)755-7687 (TDD)

Association on Higher Education
And Disabilities
University of Mass. Boston
100 Morrissey Blvd.
Boston, MA 02125-3393
(617)287-3880
(617)287-3882 (TDD)

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Upon request, copies of this handbook are made available in Braille, large print, cassette and diskette.