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THE ADA: A PRACTICAL GUIDE FOR STUDENTS

I. RIGHTS OF PEOPLE WITH DISABILITIES UNDER THE AMERICANS WITH DISABILITIES ACT

- A. The ADA is designed to ensure inclusion of qualified people with disabilities. You have the right to meet the same qualifications and/or prerequisites (but only the same), as others are required to meet. If you meet those qualifications, with or without reasonable accommodation or academic adjustment ("reasonable" is defined in the ADA), you cannot be denied access on the basis of disability.
- B. If you do not meet the qualifications, either with or without reasonable accommodation or academic adjustment, you may legally be excluded from the activity, program, or service, just as others may be excluded. In addition, if an activity, program, service or facility is not provided for others, it does not have to be provided for you.
- C. You have the right to expect reasonable, effective accommodations (with the exception of aids or devices of a personal nature) and academic adjustments to be made where they are necessary to facilitate communication and equal academic or program access. No special charge can be made to you to cover the cost of auxiliary aids, which are necessary to provide you with access or communication. Such aids or devices are usually the responsibility of your vocational rehabilitation agency. If you are not eligible for services of a vocational rehabilitation agency, the institution itself must see to it that you have access, whether through use of volunteers, outside funding, or by any other effective means.
- D. You have the right to be treated with dignity and to have disability-related information kept confidential except for times when it is necessary, in order to provide you with the accommodations you request, to share it.

II. PREVENTION OF COURSE-RELATED GRIEVANCES

- A. To identify any problem areas, review the course description, syllabus, and other available information, and/or talk to departmental officials before it is too late to drop/add
 - 1. Do you meet all of the stated qualifications and prerequisites for the course?
 - 2. Do you have the physical and academic abilities to meet the minimum course competencies with or without accommodation?

If you are in doubt, talk with an advisor, the department chair, or the ADA liaison. Other students are also an excellent source of information.

- B. Once enrolled, be sure to let your teacher know, up front and before a problem occurs, what your accommodation needs are so that mutually agreeable arrangements can be made.
 - 1. Requests for academic accommodation need to be presented in writing as early in the semester as possible.
 - 2. If you are not registered with the Office of Disability Accommodation, you may also need to present proof of disability.
- C. Be sure to discuss with your teachers relevant information about how your disability impacts your academic performance and how you plan to use the accommodations which have been requested to put you on equal footing with other students.
 - 1. Teachers need to know that you are not asking for "special privileges" nor for them to "give" you a grade, and that your goal is, with these accommodations, to produce work of comparable quality to that of other students in the class.
 - 2. Help teachers to understand why these accommodations are necessary if you are to have the same access/opportunity which is already available to others who do not have your disability.
- D. Begin the semester using all of the accommodations for which your accommodation request asks.
 - 1. You may decide not all of them are needed for this particular professor's class, but start with all the help you can get, then eliminate what is not effective. It's much harder to get additional accommodations, which the structure of the course may make necessary, if you have not been using the accommodations you already have.
 - 2. Be sure to keep in touch with your professors if you have questions or if you are experiencing problems.
- E. The Office of Disability Accommodation is your guide to resources and information to help you be academically successful. Keep ODA informed if you begin to experience difficulties, as the staff may be able to work with both you and the professor or academic department to resolve problems and to find options.

III. PROBLEM RESOLUTION

If you feel that you have been discriminated against because of your disability, or if your request for reasonable accommodation has been refused, or if the department or agency/office refuses to work with you to find workable alternatives, you should:

- A. Discuss it calmly and rationally with the teacher or person concerned; if the problem cannot be resolved, you have the right to file a complaint. Steps in the complaint process:
 1. Provide the individual with a written statement outlining the problem and your suggestions for a resolution.
 2. Make it clear why you are requesting this resolution or why the suggested resolution is appropriate.
 3. If you feel you have been discriminated against, describe the circumstances (what happened) and what you feel should be done about it.
- B. Provide a copy of your complaint to the concerned person's supervisor (undergraduate teaching supervisor, department chair, ADA liaison, or dean).
 1. Provide your address, your phone number, and times when you are available to discuss the matter.
 2. Request a response within three to five working days.
 3. Keep a copy of the statement, noting when it was mailed or delivered and to whom.
- C. If the matter still cannot be resolved and/or you still feel you have been discriminated against, you have the right to file your written complaint or grievance with the Office of Equal Opportunity/Affirmative Action, Administrative Building, Room 203, 565-2456. They will conduct a formal investigation and seek to resolve the matter at the administrative level.
- D. Discrimination complaints may be filed with the Office of Civil Rights (address and phone number available from the Equal Opportunity/Affirmative Action Office). The ADA also guarantees private rights of action through an attorney for such complaints.