DIVERSITY, EQUITY AND INCLUSION THE ADA WAY

Friday, April 30 – 10am

Thank you for attending the DSS Information Session

This session will be recorded.

Please keep Cameras and Microphones on mute.

Please type your questions in the Chat box.

A link to the PowerPoint is available in the Chat.

Live captioning is being provided.

To access the captions on your screen, please click the CC button on the ribbon below.

Following the meeting, you will be sent a survey. Your responses will help us provide useful, valuable and worthwhile training and information in the future.

DIVERSITY, EQUITY AND INCLUSION THE ADA WAY

(The Office Formerly Known As)
Disability Support Services

NOVA | **Northern Virginia Community College**

OBJECTIVES

As a result of this presentation, attendees will:

➢ Describe the intersection of Diversity, Equity and Inclusion and Disability Rights.

➢ Apply principles of Universal Design and Best Practice to their course design, curriculum materials, presentations and lectures, communications, activities, events and physical facilities.

➢ Refer students and colleagues to appropriate resources for disability-related accommodations and will follow through on providing those accommodations once they have been authorized.

THE CIVIL RIGHTS ACT OF 1964

Prohibits discrimination on the basis of **race**, **color**, **religion**, **sex** or **national origin**.

REHABILITATION ACT OF 1973

Prohibits discrimination on the basis of **disability** in programs conducted by **federal** agencies, in programs receiving **federal** financial assistance, in **federal** employment and in the employment practices of **federal** contractors.
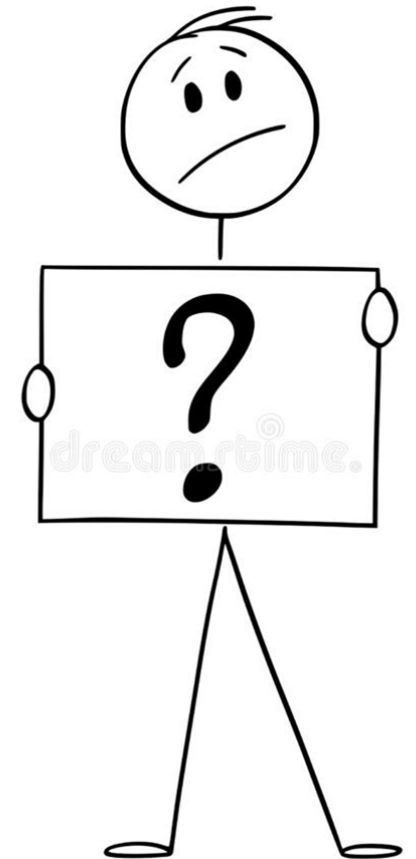
REHAB ACT

Applies to Recipients of Federal Funding

➢ Section 501 - Employment

➢ Section 503 – Employment and Contractors

➢ Section 504 – Educational Settings

➢ Section 508 – Information Technology

BUT WHAT ABOUT...

- ➤ Concert Halls
- ➤ Recreation Centers
- ➤ Shopping Malls
- ➤ Private Schools and Colleges
- ➤ Parks

- ➤ Grocery Stores
- ➤ Theaters
- ➤ Restaurants
- ➤ Museums
- ➤ Sports Arenas

AMERICANS WITH DISABILITIES ACT 1990

Prohibits discrimination against individuals with disabilities in <u>all areas of public life</u>, including jobs, schools, transportation, and all public and private places that are open to the general public.

WHERE THE ADA APPLIES

Title I (Employment)

Title II (State and Local Government)

Title III (Public Accommodations)

Title IV (Telecommunications)

Title V (Miscellaneous Provisions)

ADA DEFINITION OF DISABILITY

A physical or mental condition that substantially limits one or more major life activity.

➢ People who have a record of such an impairment, even if they do not currently have a disability.

➢ Individuals who do not have a disability but are regarded as having a disability.

MAJOR LIFE ACTIVITIES
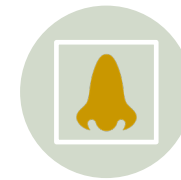
HEARING

SEEING

MOVING
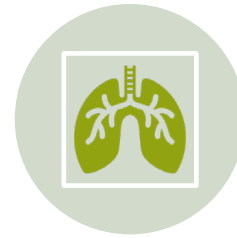
WALKING

UNDERSTANDING

Smelling/Tasting
Touching/Feeling

MAJOR LIFE ACTIVITIES

EATING

DRINKING

BREATHING

SLEEPING

THINKING/
CONCENTRATING

SPEAKING

DETERMINING DISABILITY

- ➢ Documentation
  - *Not required but permitted.*
  - *Reasonable documentation.*
    - ▪ Used to establish that a person has an ADA disability, and that the disability necessitates a reasonable accommodation.
- ➢ Assessment of a Disability Services professional
  - *DSS Counselor*
  - *ADA Coordinator*
- ➢ Self Report

DETERMINING ACCOMMODATIONS

➤ Based on documented disability.

➤ Determined through an interactive process (between the individual with disabilities and an expert designated by the institution).

➤ Made on an individual case-by-case basis.

PURPOSE OF ACCOMMODATIONS

Provides individuals with disabilities equal access to all benefits and privileges of programs, services and activities that are available to similarly situated individuals without disabilities.

➢ *Access*
➢ *Inclusion*
➢ *Equity*
➢ *Independence*

ACCOMMODATIONS

Reasonable changes/modifications in policies, practices, and procedures.

- Attendance policy, homework policy, testing conditions.

Modification to physical space.

- Automatic doors openers.
- Room arrangements.

Auxiliary aids and services.

- Sign Language interpreters.
- CART Captioning.
- Assistive Technology.

REASONABLE ACCOMMODATION

➢ Does not pose a fundamental alteration to an essential element of a program, class or practice.

➢ Does not create an undue hardship to the institution.

INCLUSIVE DESIGN

"It is time to move beyond the letter of the law to the spirit of the law; to shift our focus from redressing human and environmental problems through remedial design to preventing problems through holistic design."

~ Leslie Kanes Weisman

Architect, Educator, Community Activist

UNIVERSAL DESIGN, UNIVERSAL DESIGN FOR LEARNING AND UNIVERSAL INSTRUCTIONAL DESIGN

➢ **Universal Design (UD)** - began as an architectural concept (curb cuts, ramps, captioning, etc.). UD typically results in product features that benefit a variety of users, not just people with disabilities.

➢ **Universal Design for Learning (UDL)** - a flexible approach to curriculum that can be customized and adjusted for individual needs and thereby minimizes barriers and maximizes learning for all students.

➢ **Universal Instructional Design in Higher Education (UID)** – course design to eliminate the need to provide customized individual academic accommodations.
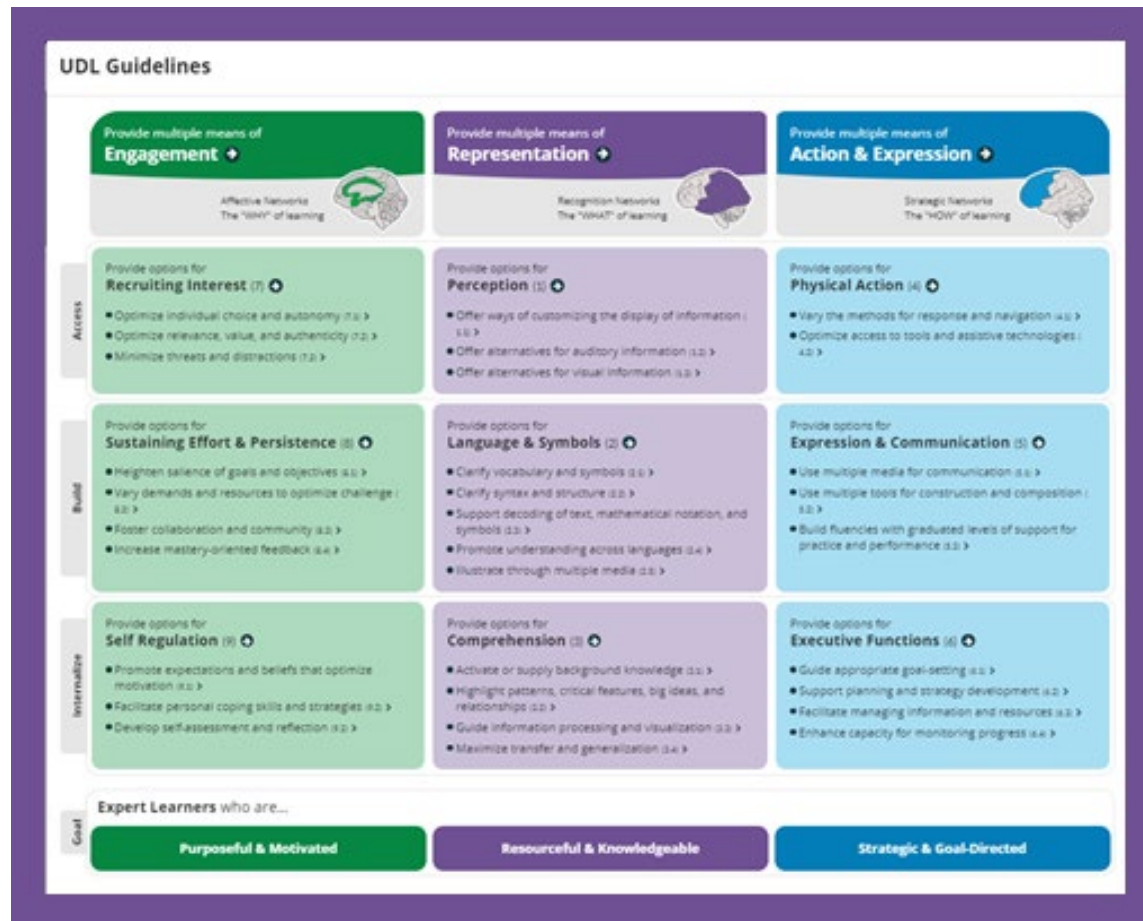
Both UDL and UID proactively build accessible learning materials, not retroactively when necessary.

7 PRINCIPLES OF UD - UNIVERSAL DESIGN

1. Equitable Use
2. Flexible in Use
3. Simple & Intuitive
4. Perceptible Information
5. Tolerance for Error
6. Low Physical Effort
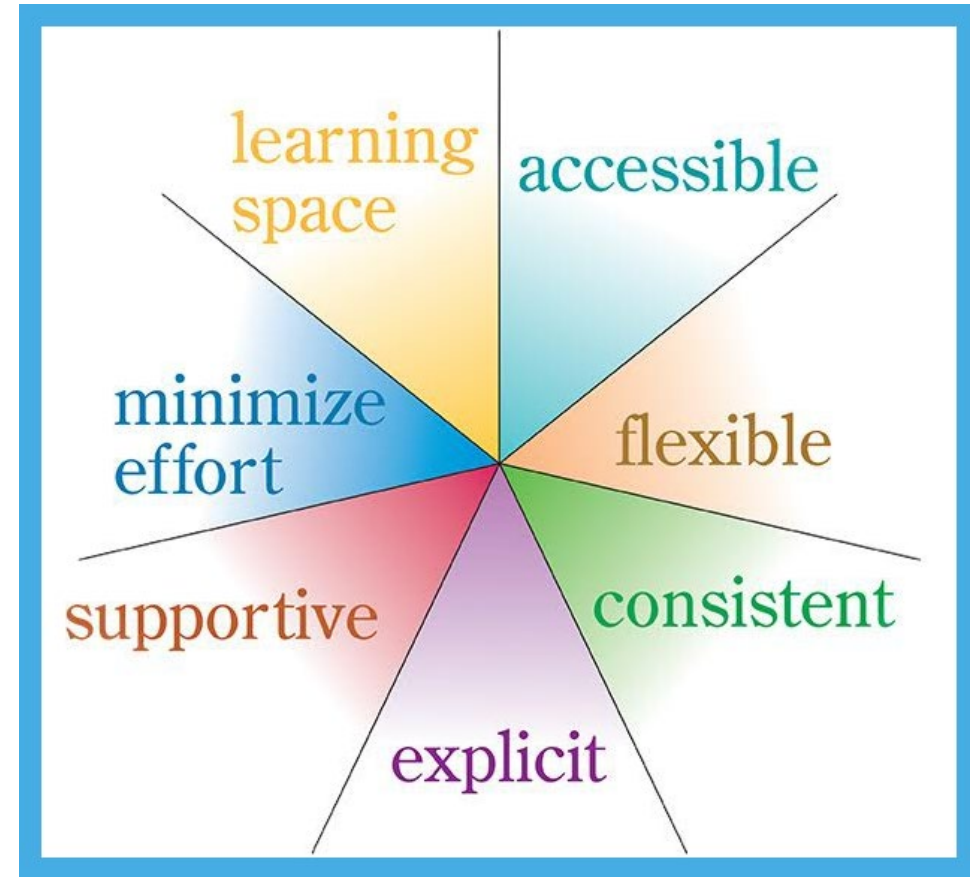7. Size & Space for Approach & Use

3 PRINCIPLES OF UDL - UNIVERSAL DESIGN FOR LEARNING

1. Engagement
2. Representation
3. Action & Expression

7 PRINCIPLES OF UID - UNIVERSAL INSTRUCTIONAL DESIGN

1. Accessible
2. Flexible
3. Clear & Consistent
4. Explicit
5. Supportive
6. Minimize unnecessary tasks & requirements
7. Sufficient space

THINGS TO CONSIDER

Physical Spaces

- Elevators
- Stairs
- Escalators
- Paths
- Restrooms
- Entrances
- Exits

Online Spaces

- Videos, Podcasts, Webinars
- Documents, Books, Articles, Fliers, Power Points
- Sounds, Sights, Colors, Pictures, Textures
- Telephones, Computers, Websites

BEST PRACTICES - ASYNCHRONOUS

- ➢ Variety of accessible learning materials (audio, video, electronic/online & print materials, PDFs, images, graphs, etc.) - accessible and/or available in an alternate format (for Assistive Technology)

- ➢ Organization and instructions – clear and easy to follow

- ➢ Creative assessment options – essays, videos, presentations, etc.

- ➢ Pacing and timing cues/due dates – announcements, calendar, email, etc.

- ➢ Communication guidelines for email responses, availability, office hours, etc.

- ➢ Welcoming language, cultural references, diverse images, etc.

- ➢ Safe, diverse and inclusive environment

BEST PRACTICES - SYNCHRONOUS

Asynchronous Best Practices plus:

➢ Zoom settings

➢ Class lecture, notes, presentations, etc. - provide prior to class

➢ Periodic breaks

➢ Safe, diverse and inclusive environment

PLANNING AHEAD/ ZOOM SETTINGS

Meeting > Security:

*Do **not** select "Only authenticated users can join meetings." Use passcode & waiting room options.*

Meeting > In Meeting (Advanced):

Select "Closed Captioning"

Check "...3rd-party Closed Captioning services"

Check "Enable live transcription..."

Select "Save Captions"

Recording > Recording:

Select "Cloud recording"

Recording > Advanced cloud recording settings:

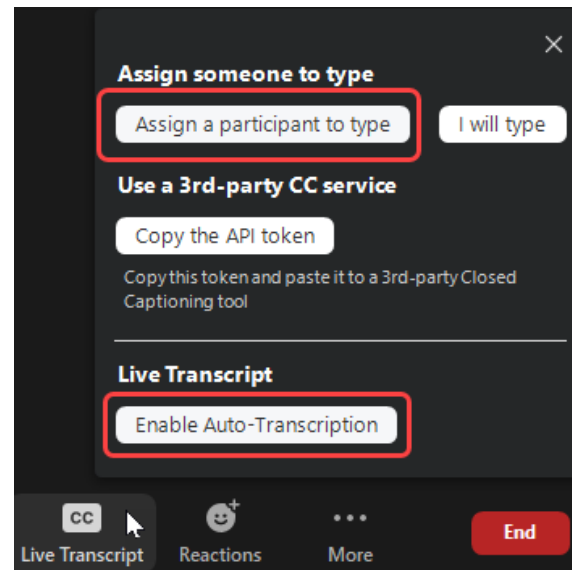*Select "Audio transcript" and other options as needed*

IMPLEMENTING/ ZOOM

If providing CART (live captioning), provide the Zoom meeting link to Captioners and Interpreters ahead of time.

Always record to the Cloud.

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Assign Captioner

Or

Enable Auto-Transcriptions

PLANNING AHEAD

Universal Design

➢ Arrange space for wheelchair users, Sign Language Interpreters, PCAs, Service Animals

Universal Instructional Design

➢ Create accessible copies of exams and quizzes that do not require Respondus Lockdown Browser for students using Assistive Technology.

➢ Create accessible documents (documents, presentations, PDFs, fliers, etc.) and include alt-text or long descriptions for images and charts where necessary.

➢ Use appropriate fonts (type & size) and contrast with course content.

➢ Include an Accommodations Statement in announcement and syllabus. If using a 3rd party vendor/publisher, include a link to their accessibility statement and student support contact information.

➢ Add Reader/Scribes/Notetakers to Zoom and Canvas when necessary.

SYLLABUS STATEMENT

Students with Disabilities: Your access to and inclusion in this course is important to me. Please request your accommodation letter early in the semester, or as soon as you become registered with Disability Support Services so that we have adequate time to arrange your approved academic accommodations.

Accommodations are provided for in-person, online and remote/virtual learning. To get started, review NOVA's Disability Support Services website (https://www.nvcc.edu/disability-services/index.html). Following a meeting with a Disability Support Services (DSS) Counselor you will be issued a Memorandum of Accommodation (MOA). You must provide your MOA to your professors, testing proctor or tutoring center in order to receive your accommodations. You may provide your MOA any time during the semester, however, accommodations are **not** retroactive.

You may email your MOA or provide me with a paper copy. I will send an email to acknowledge receipt. If I have any questions or if there is anything about your accommodations you wish to explain, we will schedule a meeting outside of class for that purpose. Please remind me of any special arrangements that must be made in advance of tests and assessments.

If you need a Sign Language interpreter or CART Captioning, contact Interpreter Services (interpreters@nvcc.edu).

PROVIDE ACCOMMODATION REQUEST FOR EVENTS

"If you need accommodations in order to participate in this event, please send your request to *[host's email]* at least two weeks before the event."

WHO AUTHORIZES ACCOMMODATIONS

Disability Support Services/Interpreter Services

- ➢ Students in Classes
- ➢ Student Life

ADA Coordinator

- ➢ Faculty/Staff/Job Applicants
- ➢ Facilities and Physical Space
- ➢ College-wide Events & Communications
- ➢ Outside Groups using NOVA

REQUESTING ACCOMMODATIONS

Students

1. *Submit an Application: Disability Support Services*
2. *Provide Documentation: Documentation Guidelines*
3. *Meet with a DSS Counselor: Contacts*
4. *Receive a Memorandum of Accommodations (MOA)*
5. *Share MOA with Professors/Testing Centers/Tutoring Centers, etc.*

Employees/Faculty/Staff

1. *Contact ADAoffice@nvcc.edu*
2. *Submit a form and documentation*
3. *Consideration is given for essential job functions*
4. *Accommodations discussed and approved based on what is reasonable*

THINGS TO REMEMBER - MOA

➢ Accommodations begin when a current Memorandum of Accommodation (MOA) is provided to the professor. Acknowledge receipt of the MOA.

➢ There is no deadline for providing an MOA.

➢ Accommodations are NOT retroactive.

THINGS TO REMEMBER - ACCOMMODATIONS

➢ Accommodations may apply in certain circumstances and not others.

➢ Accommodations may be used sometimes, but not all the time.

➢ Recording lectures is a reasonable accommodation.

➢ Providing electronic versions of lecture notes, presentations, etc. prior to class meetings is a reasonable accommodation.

SERVICE ANIMALS
(DOGS OR MINIATURE HORSES)

- Does NOT require approval.
- Only TWO questions may be asked:
  - **Is the animal required because of a disability?**
  - **What work or task has the animal been trained to perform?**
- Permitted in classes, labs, libraries, testing centers, clinical settings, etc.
- Must be under the control of the handler at all times.
- Should not be distracted, petted or played with.

EMOTIONAL SUPPORT ANIMALS

- ➢ Requires DSS approval.

- ➢ Must be noted on the MOA.

- ➢ May be something other than a dog.

- ➢ Must be under the control of the handler at all times.

OTHER ACCOMMODATION INFORMATION

➤ Providing extra time on a test for everyone, does not eliminate the extra time accommodation.

➤ Decisions about fundamental alterations should be made in consult between the academic department and DSS.

➤ Direct questions to the DSS counselors. They are here to help.

INTENTIONALLY OR UNINTENTIONALLY

"If you don't intentionally include [people], you will unintentionally exclude people."

~ Zoe Curnoe

Senior Producer, The Coalition

Q & A

QUESTIONS ABOUT THE ADA

What are the "rules" for providing accommodations?

➢ ADA suggests (provides examples), does not prescribe or determine.

➢ Determined through the interactive process - between counselor/student, ADA Coordinator, employee/supervisor (the academic department may be consulted about fundamental alteration).

➢ Based on experience, background and expertise of the testing specialist, counselor and individual with a disability.

➢ Based on the task, activity, environment and circumstances.

QUESTIONS ABOUT THE ADA

1. *What resources are available to students who need assistance?*
2. *How can I recommend services to those in need?*
3. *What is the best way to offer/ refer a student to DSS that we feel may benefit from an appointment with a DSS counselor without it appearing to be making an assumption based on a behavior or environmental observation that is needed or wanted?*

➢ All individuals have the discretion to disclose a disability and request accommodations.
➢ Student asks for an accommodation or discloses a disability, refer them to DSS.
➢ Syllabus Statement.
➢ Provide information about all services available at NOVA including Disability Services.
➢ Do not assess a person as someone with a disability.
➢ Students may have accommodations for access and still need or benefit from other services and supports.

QUESTIONS ABOUT THE ADA

How do you determine whether an accommodation is reasonable?

➢ Does it pose a fundamental alteration to the program?

➢ Does it significantly change the purpose or meaning of the program or activity?

➢ To be decided by the academic department and DSS.

➢ What must be done, not how.

➢ What are the expected, primary outcomes of the course.

➢ How can outcomes or mastery be measured?

➢ Do not rely on tradition or history (i.e.., this is how we've always done it).

QUESTIONS ABOUT THE ADA

Health Care Programs, Vet Tech, Teaching Interns

What are fieldwork sites required to do when students have accommodations/ what can we say or not say to a fieldwork site?

➢ NOVA is primarily responsible to provide accommodations to intern and practicum students.

➢ Expectations should be made clear when entering into agreements.

➢ The facilities have obligations under ADA for the general public anyway and should be accustomed to providing reasonable accommodations.

➢ Use as a guide, essential elements and technical standards.

QUESTIONS ABOUT THE ADA

What if a student forgot to request a reader/scribe/notetaker?

- ➢ Refer them to DSS. DSS has addressed this in the past, but a more collaborative team approach may be needed in the future.
- ➢ *The more accessible materials are, the less need there may be for a reader/scribe.

How to support for students with Autism

- ➢ Accommodations through DSS
- ➢ Best Practice and UDL
- ➢ Have a conversation - help the student feel safe and comfortable to tell you what works and does not work.

QUESTIONS ABOUT THE ADA

For non-classroom spaces (i.e., the library), what are ways we can create spaces that are not just compliant but comfortable for our disabled students, and how can we best do that with competing needs?

Libraries:

➢ Equal Access: Universal Design of Libraries | DO-IT (washington.edu)

➢ AccessLibraries: A Promising Practice for Promoting the Accessibility of Libraries | DO-IT (washington.edu)

➢ Library Services for People with Disabilities Policy | Association of Specialized, Government & Cooperative Library Agencies (ASGCLA) (ala.org)

Science Labs:

➢ Making Science Labs Accessible to Students with Disabilities (washington.edu)

➢ Checklist for Making Science Labs Accessible to Students with Disabilities (washington.edu)

➢ What are examples of accommodations for students with low vision in science labs? (washington.edu)

QUESTIONS ABOUT THE ADA

How can we best support ALL students at NOVA? What can we do to help NOL faculty better serve students even when their courses are predesigned?

➢ Follow best practices for Universal Design, Universal Design for Learning and Universal Instructional Design.

➢ Ask "What can I do to help you succeed?"

➢ Work with the student to provide accessible alternatives.

For NOL courses:

➢ Document the area/resource that is not accessible.

➢ Contact Online ID Help. Identify problem (missing/inaccurate captions; no alt-text; can't read PDF with screen reader, etc.) and location (Module and/or file).

➢ ID Help and instructional designer will determine what should and can be revised and will update the course template.

QUESTIONS ABOUT THE ADA

What can we do when third party vendor software used by NOVA is not ADA compliant? For example, it does not work with JAWS?

➢ It's rare that vendor software can be adjusted after purchase.

➢ See Publisher Accessibility Questions (applies to most types of vendors!)

➢ Request VPAT or Accessibility Statement from provider.

➢ Contact vendor to see if there are accessible alternatives in specific courses.

Who are the NOVA experts to go to when you need to ensure something is ADA compliant?

➢ Depends on the "something" that is being referred to; textbooks, software, services, events, tv & social media need to be ADA compliant, but accessibility checks wouldn't all look the same.

➢ Requires collaboration between subject matter experts, students, NOVA departments and vendors.

Can we do a full training on how to make PPT's, Word & PDFs compliant?

➢ Coming Soon!

➢ **Creating Accessible Documents** on May 7th, 2021 from 10-11:30 AM.

➢ Check the Daily Flyer to register next week!

REFERENCES, RESOURCES, HOW TO

Resources for Faculty and Staff (Disability Support Services Website)

General Information

Audio Accessibility

Assistive Software

How-To Videos

Accessibility Guidelines for Online Teaching and Learning

NOL Accommodation Policy and Statements (NOVA Online)

Leveling the Playing Field-Accessibility in Canvas (NOVA Online)

Technology Training Center