

## **SHSU Faculty Senate Minutes**

Sam Houston State University

**February 4, 2016**

**3:30 p.m. – 5:00 p.m.**

**LSC 304**

**Chair Lisa Shen called the meeting to order at 3:30 p.m.**

**In attendance:** Randy Garner (CJ), Diane Dowdey (CHSS), Jason Payton (CHSS), Jeff Littlejohn (CHSS), John Domino (CHSS), Stacy Ulbig (CHSS), Tracy Bilsing (CHSS), Don Bumpass (COBA), Irfan Ahmed (COBA), Mark Frank (COBA), Jonathan Breazeale (COBA), Andrea Foster (COE), Donna Cox (COE), Melinda Miller (COE), Karla Eidson (COE), Karen Miller (COFAMC), Gary Oden (COHS), Debbi Hatton (COFAMC), David McTier (COFAMC), Eric Marsh (COFAMC), James Landa (COHS), Donovan Haines (COS), Douglas Ullrich (COS), Dwayne Pavelock (COS), Madhu Choudhary (COS), Mark Klespis (COS), Bill Jasper (COS), Lisa Shen (NGL)

**Absent:** Joan Bytheway (CJ), Nancy Baker (CHSS), Diana Nabors (COE)

### **Welcome**

Chair Shen welcomed Donovan Haines to the Faculty Senate. Dr. Haines will complete the term of Senator Lutterschmidt.

### **Approval of Minutes**

The January 28 minutes were approved.

### **Special Guest**

Mr. Kelley Osborn, Director, Services for Students with Disabilities &  
Dr. Drew Miller, Assistant Vice President of Student Services

Mr. Osborn is the Director for Services for Students with Disabilities (SSD).

Mr. Osborn gave an overview of the SSD. He shared that he was vetted with the responsibility of seeing to the accommodations of students with disabilities in class and online. Approximately 539 students were served in the SSD last fiscal year. He stated that students came to the SSD with a wide range of disabilities and some not readily apparent, such as psychosis, Attention Deficit Hyperactive Disorder, learning disabilities, Post-Traumatic Stress Disorder, and emotional disabilities. Further, students with a wide range of medical conditions are served in his office.

Initially, students must register and submit documentation that provides information on functionality. Students must be examined by a certified medical specialist, such as a physician or psychologist. If documentation is outdated or insufficient, the student is sent to obtain additional information. The results of this documentation determine how a mental or physical impairment limits a student academically.

A student interview, either fact-to-face or by telephone is also a requirement. This helps to determine how the student experiences a disability and what accommodation(s) the student is requesting.

Mr. Osborn endeavors to establish a nexus between accommodation and disability. His job is to uphold the ADA and the Rehabilitation Act. Considerations for providing a student with an appropriate accommodation includes testing for what is a reasonable accommodation which is not a fundamental alteration of a course. Consideration is also given to whether an accommodation is a financial burden for the institution. Federal guidelines, the body of case law, section 504 of the Rehabilitation Act and leadership from professional organizations guide the decision making in the SSD. Further, staff of the SSD receive training regularly and stay abreast of current law and trends in Texas.

Mr. Osborn explained that a student must request an accommodation form for a “standard accommodation”. For online classes, a student must request a letter and this letter will be sent electronically as well as a hard copy to the professor. Some “standard accommodations” might include:

- extended time on exams
- a test area with reduced distractions
- a reader for tests
- peer note takers
- the ability to record lectures
- preferential seating

Occasionally the SSD office receive requests from students that are beyond the pale. An atypical accommodation might be a request for some things that go against course requirements. For example, a student asks for the ability to use pneumonic aids on exams. In those situations, staff at the SSD will consult with the instructor before issuing accommodation.

Mr. Osborn shared that faculty members have certain responsibilities, such as reviewing the accommodation forms and making oneself available to discuss the form with a student. Faculty are encouraged to contact the SSD office if an instructor feels the accommodations are a fundamental alteration of course. Otherwise, if there no objection, the professor is required to provide the accommodation. As an aside, Mr. Osborn shared that the SSD has testing facilities which are proctored by staff and by camera. Student must sign an honesty statement and procedures are in place if there is suspected academic dishonesty. Instructors have the prerogative to accommodate students in house for testing if requisite equipment is available.

Part of Mr. Osborn’s job is to advocate for the student if the student feels his/her rights are being violated. Students have the right to file a grievance through his office. Additionally, they have a right to appeal outside of the university to the Office of Civil Rights. They can file there and not file with university.

Mr. Osborn then opened the floor for questions. One senator asked about communicating with students on the autism spectrum. The senator felt that sometimes, e-mails with these students

can become onerous and that their needs for communication are disproportionate to communicating with other students in class. How best accommodate these individuals? Mr. Osborn stated that students on the autism scale typically take things very literally. He suggested providing these students with additional written instruction for course assignments as a way to save time. For them, written communication is better than verbal. Additionally, Mr. Osborn suggested that students who need additional guidance come in to visit with the instructor on a semi-regularly basis. Students should be encouraged to take notes. If student continues to take up too much time in class or in the office, contact SSD to have a private meeting with the student.

The same senator asked a follow up question: Do we currently have training modules about particular challenges of students with disabilities? There is an interest in training on how specific disabilities affect students and how best to accommodate them.

Mr. Osborn said he had been considering developing training modules for some time, but just hadn't had the time to develop them. He recommended the Landmark College, Expanding Horizons program. They have modules for teachers and professors. He suggested that if an instructor was not sure how to help a student, to call the Counseling Center for help.

A senator asked if it was appropriate for instructors to refer students to counseling center. Mr. Osborn stated that this was absolutely appropriate and that the Counseling Center and Disability center coordinate to help students. These centers also work with First Alert.

One senator referred to "traditional accommodations: what about areas that are very unique? The accommodation forms don't always address specific expectations of a non-traditional class. Mr. Osborn said that discussions with the instructor(s), student and SSD about expectations, disabilities and what accommodations are appropriate should be held. Sometimes course specific accommodations are necessary.

Another senator wondered if a student said "I don't want to work in groups", if they truly cannot work in groups or if this is just their preference.

Mr. Osborn said if non-group participation isn't listed on the accommodation page, to contact the SSD office for clarification.

A senator asked Dr. Miller if there were limitations of treatment at Counseling Center, specifically for drug addiction.

Dr. Miller said the Counseling Center operated off a short term or time limited model. There is currently no set up for long term treatment. However, the Counseling Center will refer a student to an expert in the community. He suggested calling Drew or his assistant director for help with students who wanted help with drug addiction.

One senator asked if there was a list of pro bono professionals or centers for treatment that can be shared by instructors? Is anything in place to help with finances?

Mr. Miller shared that the Tri-county MHMR services can help with medication, but not so much with counseling. The Psychological Assessment Center is available on campus as is the Jack

Staggs Counseling Center on the SHSU main campus and the Woodlands Center and is low cost or free. Students are prioritized but there is a waiting list.

A senator asked if there was a time limit for signing the accommodation forms. Mr. Osborn said that it was perfectly appropriate to take the form, read over it and sign it on the following class day.

The same senator wondered about accommodations that were at cross purposes to the profession the student is studying to enter.

Mr. Osborn stated that instructors focus on the class at hand.

One senator asked if instructors could know a bit before classes start for the semester if they are to have deaf interpreters or closed captions for videos or a student is going to have mobility issues.

Mr. Osborn said he would address the issue with the sign language coordinator to communicate (early notice) to instructor. However, late registration can be a bit of a challenge. He strives to alert online instructors two to three months in advance if a student with a disability will need accommodating. Transcription services and computer transcriptionists are available real time.

A senator asked what happens when faculty member has an issue with a student's accommodation; what happens if a student goes over the professor's head or to an outside source before the professor has a chance to contact SSD?

Mr. Osborn said if this has happened that the instructor should still call to discuss issues.

Another senator asked what happens if faculty have a grievance or disagreement with SSD and their determination of what constitutes accommodations that are not substantial alterations to a course?

Mr. Osborn stated that a student has a right to appeal if he/she feels the accommodation isn't being followed. If there is an impasse, a meeting should be requested with the instructor, the department chair, and dean if there is a disagreement with SSD on what a substantial alteration to a course is. Faculty members can ultimately contact the Provost. However, OCR will be the ultimate authority to decide whether accommodations can be denied or not. An instructor would need a well-founded argument, not just an opinion of the accommodation.

A senator asked Mr. Osborn would consider forming a policy concerning disagreements with SSD on what constitutes "substantial alteration to a course"? Would he be receptive if the Senate drafted such a policy?

Mr. Osborn replied that would potentially would. He said it would need to be vetted with all levels of the university, including legal services.

At the close of his talk, Mr. Osborne provided evaluations to the Senate.

## **Chair's Report**

### **Committee Reports**

The Faculty Affairs Committee presented the latest revision of the Conflict of Interest Policy (HR-E8)

A motion was made and seconded to accept the report. It was accepted unanimously

The Academic Affairs Committee presented the latest revision of the Graduate Faculty Status Policy (AP 801014)

A motion was made to accept the report. It was accepted unanimously.

A motion to accept proposals of the version that was e-mailed to Senate and in hard copy to Senate accept policy with the request to change the date.

The proposal changes were accepted unanimously

### **Adjournment**

5:00 pm