

FFL Seattle 2023

The Americans with Disabilities Act – Your Rights in College and Beyond!



Leigh Fickling, MEd, MS, JD
Matt Point, MS



Friends for Life[®]

Meet Matt

- **Professional:** Director of Advancement at CWD. Previously, Director of Compliance & Title IX Coordinator and Assistant Dean of Students for Residence Life & Housing. 12 Years of experience in higher education & development
- **Personal:** Married to Brian Grant who was diagnosed with T1D at 15 – Brian's the Teen age group leader at Friends for Life!



Meet Leigh

- **Professional:** Chief Operating Officer of Children with Diabetes
Past: UNCW Disability Director, Executive Director, Disability Management System, Duke University and Health System, attorney, higher education administrator for 25 years
- **Personal:** Mom to Ava and Davis, 13 year old tweens. Ava diagnosed Type 1 at age 3, Davis diagnosed with Autism at age 8



Brief Overview of Relevant Laws and Regulations

- Americans with Disabilities Act
- Section 504 of the Rehabilitation Act
- State and Local Regulations regarding Service Animals
- FERPA (Family Educational Rights and Privacy Act)
- Clery Act (Annual Safety Report Inclusions)

Addressing the Elephant in the Room

- Diabetes is a disability under the ADA
 - “physical or mental impairment that substantially limits a major life activity”
 - Major life activity = functions of the endocrine system
 - Consider other conditions as well (Celiac, ADHD, Depression/Anxiety, etc.)
- Accommodations
 - Housing
 - Classroom
 - Extra curricular activities
 - Jobs or internships
 - Clinical environments

Difference between High School and College Accommodations

- There are no IEP's or Section 504 plans in college
- School will not identify you as an individual with a disability; must self identify
- Accommodations are not retroactive
- Accommodations will only be granted if they are necessary, reasonable, and appropriate

Campus Tours

Get out there and explore!

Things to look for when touring campus:

- campus dining options
- campus health center
- campus transportation options
- nearest pharmacy and urgent care locations
- fitness facilities
- mail services (centralized mail or delivery to room)

Magic Wish List

- Rest breaks without penalty during exams and tests (Stop the clock)
- Testing in a minimally distracting environment (beeping)
- Permission to keep electronic devices with you at all times
- Permission to use the restroom, as needed (preferential seating)
- Permission to treat a high or low blood sugar (and remove mask while doing so) in any location (permission to keep snacks with you at all times)
- Priority Registration
- Housing accommodations*

Personal Responsibility and Living at School

- What an RA (Resident Assistant) and college staff WILL and WON'T do
- Have a plan!
 - Where is the nearest hospital, pharmacy, grocery store?
 - How do you pay for snacks & supplies?
- Mail on Campus – Overnight shipping might not be overnight anymore.
- Dining services isn't available 24/7 – Low supplies!
- Insurance Knowledge
 - Who is the primary on the policy? Keep in safe but accessible place!
- Share & talk about diabetes with your friends & roommate
 - College Diabetes Network (CDN)

The Early Bird Gets the Worm - Start Now!

- Visit schools early – know where you want to go!
 - Meet the disability office (Open Houses are your friend!)
 - Check out the local area – can your needs be met here?
 - Policies, resources, & options for support vary greatly by institution
- Late decisions can affect room selection or accommodations
- Accommodations are NOT retroactive
- Tell you story & talk to your Professors ASAP!
- You got work-study funding and want to pay for your low supplies with it?
Jobs fill quickly at some institutions!
- Preparation is the key to success!

Federal Laws – Matt’s Need to Know!

- FERPA (Family Educational Rights and Privacy Act)
 - “That’s so nice you’re providing this opportunity for your student”
- The Clery Act (Annual Safety Report & Annual Fire Safety Report)
 - Inclusion of Emergency Procedures
 - Listing of hospitals, clinics, and emergency phone contacts & numbers

But, what if Johnny won't answer my calls?

I'm watching him on Dexcom Follow or Nightscout and he's going low.....I've called him 15 times and he's not answering me. What should I do? Call the campus police? Call the RA? Rent a helicopter and fly to campus and land on his residence hall and break into his room to check on him?

Service Animals

- Voluntary Registration with Student Disability Office
- Local Veterinarian
- Cost of food and upkeep
- What about fun weekends away?
- Local regulations may vary from federal regulations

Clinical Rotations, Internships and Employment

- Often “look” like employment related accommodations and have a different standard of review than student accommodations
- Seek accommodations early
- Do not assume that the college accommodations will automatically roll over to the internship or clinical placement site
- When do you disclose your disability status during the interview process?

Questions?

 Friends for Life[®]