

**Minutes of the Senate Anti-Discriminatory Policies Committee for 3 October 2008
5047 Forbes Towers**

In Attendance: Mark Lynn Anderson, Anthony Bauer, Deborah Brake, Lynn Fitzgerald (Chair), Susan Hansen, Emilia Lombardi, Paolo Palmieri, Cindy Popovich, Katherine Seelman, and Vijai Singh.

Absent Elected Member: Dorothy Hawthorne-Burdine.

Excused Elected Member: Randi Koeske.

Lynn Fitzgerald called the meeting to order at 9:37 AM.

Chair Fitzgerald called for a correction to the proposed agendas of upcoming ADPC meetings as described in the minutes for 17 September 2008. After the secretary made this correction, the committee approved the minutes.

[Note: Pro-tem member Jane Feuer was unable to attend the meeting but wished to make the following announcement. The next training session for faculty and staff wishing to participate in Rainbow Alliance has been set for 14 November 2008, 9:00 AM to 1:00 PM. The training session will take place at 630 William Pitt Union. Interested faculty and staff should contact Linda Williams-Moore to register. Her e-mail address is: lwmoore+@pitt.edu.]

Most of the morning's meeting was devoted to presentations by Lynnett Van Slyke, Director of Disability Resources and Services (DRS), and James Cox, Director of the University Counseling Center (UCC). What follows is a summary of their presentations, questions from members of the committee addressed to the presenters, and the responses and discussions that followed.

Chair Fitzgerald briefly reviewed the committee's earlier conversations about exploring university policies as they relate to students with mental disabilities, particularly students suffering from brain trauma, as well as those with learning disabilities and anxiety disorders. She also recounted the committee's previous discussion of student internship failures that sometimes occur after students successfully complete their coursework, outcomes that might be avoid if more attention is given to the special needs of these students in the selection or assignment of internships.

Lynnett Van Slyke and James Cox began with a discussion of how their two offices coordinate cross-referrals. Because the DRS is charged with determining student disability as a constituting *substantial limitation* to equal access under the provisions of the Americans with Disability Act (ADA), not all students who contact the office are able to produce sufficient evidence of a qualifying disability, even though they may still benefit from counseling or from help with study skills. After testing, the DRS routinely refers students to the UCC, the Academic Resource Center, the Writing Center, etc., both those students who qualify for learning-disabled accommodations and those who do not. Van Slyke also pointed out that not all students with a qualifying disability request accommodation. James Cox discussed how his office worked with a different, but sometimes overlapping group of students: those with emotional difficulties or anxiety. When appropriate, UCC councilors will encourage students who might also have a learning disability to register with DRS, even if those students are not seeking accommodation. His office also offers to write letters to professors on behalf of students

having emotional difficulties, but the staff also works to “ferret out” those few students who might seek to manipulate the system. Van Slyke and Cox emphasized that disability is almost always the result of injury or a childhood disorder for which there is pre-existing documentation. The UCC works with many students on test anxiety, but it is difficult to assist students if disability becomes an issue for a student “at the last minute.” Van Slyke mentioned that in these cases, students usually aren’t aware of what is required to document a disability, or what other services are available to them; thus, the process of cross-referrals can greatly aid these students in getting the help they need. Cox emphasized the need for students to come for help as early as possible since his office can write a stronger and more informed letter to a faculty member if there is an established client relationship.

Tony Bauer inquired whether DRS had numbers on their clients by disability. Van Slyke confirmed that her office kept accurate numbers, but that she could provide a fair estimate to the committee without those numbers. Her office usually has 700 to 800 students registered at any given time, the majority of which are undergraduates. This population roughly breaks down into the following categories: 200 students with learning disabilities, another 200 with psychiatric issues, about 150 more students will have attention-deficit hyperactivity disorder (ADHD), and another fifty students suffer from traumatic brain injury. There are some students with autistic spectral disorders; about thirty students have physical disability, thirty with visual impairment, and another ten who are deaf or hard of hearing. These percentages are mirrored by the much smaller graduate student population registered with DRS. Van Slyke noted that her office provides services for about 250 students on a weekly basis.

The chair inquired about the effectiveness of students in communicating their disabilities and/or needs with professors, and she asked about the relation of DDS to Academic Services. Van Slyke acknowledged that students are not always knowledgeable about how and when to communicate with their instructors. They become frustrated when denied by a professor. Van Slyke said the first question to ask a student seeking an accommodation is if she or he is registered with DRS. As far as Academic Services, Van Slyke reported that, after testing, DRS often send students out to various additional campus resources and, in this way, DRS operates as an information center for many students.

Cox reported that of the approximately 3,000 students who are clients of UCC, only about two percent have learning disabilities. He also reported that twenty-five percent of the students receiving services at UCC are graduate students, a larger pool and percentage than that served by DRS. UCC conducts couples counseling (provided that at least one partner is a Pitt student) and it operates a twenty-four-hour on-call system.

Associate Chancellor Singh asked Van Slyke and Cox if they had any knowledge of student’s complaints about discrimination (discrimination either from professors or in the delivery of accommodation services). Both responded that although some complaints do occur on rare occasions, almost all are resolved informally. Van Slyke pointed out that when a student lodges a complaint about a failure of accommodation, her office seeks to settle the matter informally, since it’s usually an issue of mis-communication. On the even rarer occasions where a complaint persists, her office advises students on the possibility of filing a formal complaint with Carol Mohamed’s office (Affirmative Action Director), the university’s ADA 504 coordinator. Students would also be advised about

filing a legal suit for violation of the Civil Rights Act, and DRS would encourage any wronged student to take formal actions so as to enforce compliance with the law.

Chair Fitzgerald inquired whether anything was missing from the current system. Van Slyke believed not, though she maintained that departments, divisions, and schools might do a much better job of making their accessibility standards available and accessible online. The issue of universalizing accessibility came up at this point and became a recurrent motif for much of the rest of the discussion.

Katherine Seelman asked if there were any models of accessibility standards that might function as a model, mentioning the apparent effectiveness of Paula Davis's work at the School of Medicine. Van Slyke noted that DRS worked very closely with that program. James Cox said that UCC routinely looks at the counseling services at other institutions.

Susan Hansen raised the issue of possible faculty liability in a case of a student with serious problems who refused to recognize his or her condition. Faculty have been warned by legal council not to communicate with such students.

Deborah Brake brought up the issue that the disability rights community has grown disgruntled with recent court decisions and changes to the ADA. While a minimum reasonable accommodation has been established, institutions are free to provide more than the minimal accommodation. She then asked Van Slyke about the situation at Pitt. Van Slyke maintained that Pitt uses a broader spectrum of accommodations as it relates to students, but a narrower one (though not below minimum) as it relates to employees. Van Slyke said that the changes in the ADA are going to limit everyone's ability to seek recognition and request accommodation. The definition of "what's reasonable" is going to narrow. Chair Fitzgerald asked who ultimately makes the decision about what counts as "reasonable," and Van Slyke responded that much depends on the type of requests that are made. Requests are treated on a case-by-case basis.

Paolo Palmiere pointed out that something such as undergraduate test-taking can be fairly easily accommodated by giving students more time for exams, separate spaces for testing-taking, etc. However, how might one accommodate the less quantifiable demonstrations of ability required of graduate students in making progress toward earning their degrees? Tony Bauer asked if there had ever been complaints about such discrimination by graduate students and, if so, how many. Van Slyke pointed out that the external committee that handles such complaints had never been activated. Mark Lynn Anderson pointed out that graduate students face timelines for the completion of the various stages in the pursuit of their degrees, and that their funding is often contingent on meeting such deadlines. How can we build sensitivity to special needs into a graduate curriculum at the program level? Palmieri proposed the possibility of broadening or the making more flexible the definitions and standards of disciplinary achievement in a way that makes our respective disciplines more accessible to differently-abled graduate students. This would be an undertaking commensurate with the idea of universality of access.

Popovich raise the example of the difficulty in placing a professional student with special needs in a required internship. Van Slyke proposed that, depending on the circumstances; a first step might be a referral to the Office of Vocational Rehabilitation.

Katherine Seelman forwarded the notion of “universal design” in opposition to a special services model, and she cited the very basic issue of accessible housing for students. Palmieri concurred that an expanded idea of diversity at the university would work against a special model that emphasized pathology. Brake mentioned the problem of translating the principles of universal design, initially an architectural approach, into curricular and evaluative policies. Van Slake pointed to the example of the University of Washington (Seattle) as an interesting model and a good resource for such endeavors, recommending its website.

Chair Fitzgerald summarized the morning’s presentation and summary. While discrimination per se against students with learning disabilities is apparently not a problem at the university, access to information about standards might be improved so that faculty and others can anticipate the needs of their students more effectively. Singh pointed out that departmental accommodation was not often a policy issue. Still, others felt, guidelines and information might be useful if made more available. It was agreed that we would table the important issue of universal access and return to it in the coming months.

The meeting was adjourned at 10:55

Submitted by Mark Lynn Anderson, 18 October 2008.