

Appendix i
Section 504-Rehabilitation Act of 1973

Section 504, Rehabilitation Act of 1973

(29 U.S.C. § 701)

-- [Privacy and Security Statement](#) --
-- [DISCLAIMER](#) --

Section 794. Nondiscrimination under Federal grants and programs; promulgation of rules and regulations

(a) Promulgation of rules and regulations

No otherwise qualified individual with a disability in the United States, as defined in section 705 (20) of this title, shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service. The head of each such agency shall promulgate such regulations as may be necessary to carry out the amendments to this section made by the Rehabilitation, Comprehensive Services, and Development Disabilities Act of 1978. Copies of any proposed regulations shall be submitted to appropriate authorizing committees of the Congress, and such regulation may take effect no earlier than the thirtieth day after the date of which such regulation is so submitted to such committees.

(b) "Program or activity" defined

For the purposes of this section, the term "program or activity" means all of the operations of --

(1)(A) a department, agency, special purpose district, or other instrumentality of a State or of a local government; or

(B) the entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government;

(2)(A) a college, university, or other postsecondary institution, or a public system of higher education; or

(B) a local educational agency (as defined in section 8801 of Title 20), system of vocational education, or other school system;

(3)(A) an entire corporation, partnership, or other private organization, or an entire sole proprietorship --

(i) if assistance is extended to such corporation, partnership, private organization, or sole proprietorship as a whole; or

(ii) which is principally engaged in the business of providing education, health care, housing, social services, or parks and recreation; or

(B) the entire plant or other comparable, geographically separate facility to which Federal financial assistance is extended, in the case of any other corporation, partnership, private organization, or sole proprietorship; or

(4) any other entity which is established by two or more of the entities described in paragraph (1), (2) or (3); any part of which is extended Federal financial assistance.

(c) Significant structural alterations by small providers

Small providers are not required by subsection (a) to make significant structural alterations to their existing facilities for the purpose of assuring program accessibility, if alternative means of providing the services is available. The terms used in this subsection shall be construed with reference to the regulations existing on March 22, 1988.

(d) Standards used in determining violation of section

The standards used to determine whether this section has been violated in a complaint alleging employment discrimination under this section shall be the standards applied under title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.) and the provisions of sections 501 through 504, and 510, of the Americans with Disabilities Act of 1990 (42 U.S.C. 12201-12204 and 12210), as such sections related to employment.

Section 794a. Remedies and attorney fees

(a)(1) The remedies, procedures, and rights set forth in section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16), including the application of sections 706(f) through 706 (k) [42 U.S.C. 2000e-5(f) through k)] shall be available, with respect to any complaint under section 791 of this title, to any employee or applicant for employment aggrieved by the final disposition of such complaint, or by the failure to take final action on such complaint. In fashioning an equitable or affirmative action remedy under such section, a court may take into account the reasonableness of the cost of any necessary

work place accommodation, and the availability of alternative therefor or other appropriate relief in order to achieve an equitable and appropriate remedy.

(2) The remedies, procedures, and rights set forth in title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq) shall be available to any person aggrieved by any act or failure to act by any recipient of Federal assistance or Federal provider of such assistance under section 794 of this title.

(b) In any action or proceeding to enforce or charge a violation of a provision of this subchapter, the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee as part of the costs.

Appendix ii

The Americans with Disabilities Act (ADA) Amendments Act (ADA AA) of 2008

110TH CONGRESS **Se 3406**
2D SESSION

AN ACT

To restore the intent and protections of the Americans with Disabilities Act of 1990.

1 Be it enacted by the Senate and House of Representa-
2 tines of the United States of America in Congress assembled,

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "ADA Amendments Act
3 of 2008".

4 **SEC. 2. FINDINGS AND PURPOSES.**

5 (a) FINDINGS.—Congress finds that-

6 (1) in enacting the Americans with Disabilities
7 Act of 1990 (ADA), Congress intended that the Act
8 "provide a clear and comprehensive national man-
9 date for the elimination of discrimination against in-
10 dividuals with disabilities" and provide broad cov-
11 erage;

12 (2) in enacting the ADA, Congress recognized
13 that physical and mental disabilities in no way di-
14 minish a person's right to fully participate in all as-
15 pects of society, but that people with physical or
16 mental disabilities are frequently precluded from
17 doing so because of prejudice, antiquated attitudes,
18 or the failure to remove societal and institutional
19 barriers;

20 (3) while Congress expected that the definition
21 of disability under the ADA would be interpreted
22 consistently with how courts had applied the defini-
23 tion of a handicapped individual under the Rehabili-
24 tation Act of 1973, that expectation has not been
25 fulfilled;

1 (4) the holdings of the Supreme Court in Sut-
2 ton v. United Air Lines, Inc., 527 U.S. 471 (1999)
3 and its companion cases have narrowed the broad
4 scope of protection intended to be afforded by the
5 ADA, thus eliminating protection for many individ-
6 uals whom Congress intended to protect;

7 (5) the holding of the Supreme Court in Toyota
8 Motor Manufacturing, Kentucky, Inc. v. Williams,
9 534 U.S. 184 (2002) further narrowed the broad
10 scope of protection intended to be afforded by the
11 ADA;

12 (6) as a result of these Supreme Court cases,

13 lower courts have incorrectly found in individual
14 cases that people with a range of substantially lim-
15 iting impairments are not people with disabilities;
16 (7) in particular, the Supreme Court, in the
17 case of *Toyota Motor Manufacturing, Kentucky, Inc.*
18 *v. Williams*, 534 U.S. 184 (2002), interpreted the
19 term "substantially limits" to require a greater de-
20 gree of limitation than was intended by Congress;
21 and
22 (8) Congress finds that the current Equal Em-
23 ployment Opportunity Commission ADA regulations
24 defining the term "substantially limits" as "signifi-

1 cantly restricted" are inconsistent with congressional
2 intent, by expressing too high a standard.

3 (b) PURPOSES. —The purposes of this Act are-

4 (1) to carry out the ADA's objectives of pro-
5 viding "a clear and comprehensive national mandate
6 for the elimination of discrimination" and "clear,
7 strong, consistent, enforceable standards addressing
8 discrimination" by reinstating a broad scope of pro-
9 tection to be available under the ADA;

10 (2) to reject the requirement enunciated by the
11 Supreme Court in *Sutton v. United Air Lines, Inc.*,
12 527 U.S. 471 (1999) and its companion cases that
13 whether an impairment substantially limits a major
14 life activity is to be determined with reference to the
15 ameliorative effects of mitigating measures;

16 (3) to reject the Supreme Court's reasoning in
17 *Sutton v. United Air Lines, Inc.*, 527 U.S. 471
18 (1999) with regard to coverage under the third
19 prong of the definition of disability and to reinstate
20 the reasoning of the Supreme Court in *School Board*
21 *of Nassau County v. Arline*, 480 U.S. 273 (1987)
22 which set forth a broad view of the third prong of
23 the definition of handicap under the Rehabilitation
24 Act of 1973;

1 (4) to reject the standards enunciated by the
2 Supreme Court in *Toyota Motor Manufacturing,*
3 *Kentucky, Inc. v. Williams*, 534 U.S. 184 (2002),
4 that the terms "substantially" and "major" in the
5 definition of disability under the ADA "need to be
6 interpreted strictly to create a demanding standard
7 for qualifying as disabled," and that to be substan-
8 tially limited in performing a major life activity
9 under the ADA "an individual must have an impair-
10 ment that prevents or severely restricts the indi-
11 vidual from doing activities that are of central im-
12 portance to most people's daily lives";

13 (5) to convey congressional intent that the
14 standard created by the Supreme Court in the case
15 of *Toyota Motor Manufacturing, Kentucky, Inc. v.*
16 *Williams*, 534 U.S. 184 (2002) for "substantially
17 limits", and applied by lower courts in numerous de-
18 cisions, has created an inappropriately high level of

19 limitation necessary to obtain coverage under the
20 ADA, to convey that it is the intent of Congress that
21 the primary object of attention in cases brought
22 under the ADA should be whether entities covered
23 under the ADA have complied with their obligations,
24 and to convey that the question of whether an indi-

1 vidual's impairment is a disability under the ADA
2 should not demand extensive analysis; and
3 (6) to express Congress' expectation that the
4 Equal Employment Opportunity Commission will re-
5 vise that portion of its current regulations that de-
6 fines the term "substantially limits" as "signifi-
7 restricted" to be consistent with this Act, in-
8 cluding the amendments made by this Act.

9 **SEC. 3. CODIFIED FINDINGS.**

10 Section 2(a) of the Americans with Disabilities Act
11 of 1990 (42 U.S.C. 12101) is amended-

12 (1) by amending paragraph (1) to read as fol-
13 lows:

14 "(1) physical or mental disabilities in no way
15 diminish a person's right to fully participate in all
16 aspects of society, yet many people with physical or
17 mental disabilities have been precluded from doing
18 so because of discrimination; others who have a
19 record of a disability or are regarded as having a
20 disability also have been subjected to discrimina-
21 tion;"

22 (2) by striking paragraph (7); and

23 (3) by redesignating paragraphs (8) and (9) as
24 paragraphs (7) and (8), respectively.

1 **SEC. 4. DISABILITY DEFINED AND RULES OF CONSTRUC-**
2 **TION.**

3 (a) DEFINITION OF DISABILITY.—Section 3 of the
4 Americans with Disabilities Act of 1990 (42 U.S.C.
5 12102) is amended to read as follows:

6 **"SEC. 3. DEFINITION OF DISABILITY.**

7 "As used in this Act:

8 "(1) Disability.—The term 'disability' means,
9 with respect to an individual-

10 "(A) a physical or mental impairment that
11 substantially limits one or more major life ac-
12 tivities of such individual;

13 "(B) a record of such an impairment; or

14 "(C) being regarded as having such an im-
15 pairment (as described in paragraph (3)).

16 "(2) MAJOR LIFE ACTIVITIES.-

17 "(A) IN GENERAL.—For purposes of para-
18 graph (1), major life activities include, but are
19 not limited to, caring for oneself, performing
20 manual tasks, seeing, hearing, eating, sleeping,
21 walking, standing, lifting, bending, speaking,
22 breathing, learning, reading, concentrating,
23 thinking, communicating, and working.

24 "(B) MAJOR BODILY FUNCTIONS.—For

25 purposes of paragraph (1), a major life activity
26 also includes the operation of a major bodily

1 function, including but not limited to, functions
2 of the immune system, normal cell growth, di-
3 gestive, bowel, bladder, neurological, brain, res-
4 piratory, circulatory, endocrine and reproduc-
5 tive functions.

6 "(3) REGARDED AS HAVING SUCH AN IMPAIR-
7 MENT.—For purposes of paragraph (1)(C):

8 "(A) An individual meets the requirement
9 of 'being regarded as having such an impair-
10 ment' if the individual establishes that he or
11 she has been subjected to an action prohibited
12 under this Act because of an actual or perceived
13 physical or mental impairment whether or not
14 the impairment limits or is perceived to limit a
15 major life activity.

16 "(B) Paragraph (1) (C) shall not apply to
17 impairments that are transitory and minor. A
18 transitory impairment is an impairment with an
19 actual or expected duration of 6 months or less.

20 "(4) RULES OF CONSTRUCTION REGARDING
21 THE DEFINITION OF DISABILITY.—The definition of
22 'disability' in paragraph (1) shall be construed in ac-
23 cordance with the following:

24 "(A) The definition of disability in this Act
25 shall be construed in favor of broad coverage of

1 individuals under this Act, to the maximum ex-
2 tent permitted by the terms of this Act.

3 "(B) The term 'substantially limits' shall
4 be interpreted consistently with the findings
5 and purposes of the ADA Amendments Act of
6 2008.

7 "(C) An impairment that substantially lim-
8 its one major life activity need not limit other
9 major life activities in order to be considered a
10 disability.

11 "(D) An impairment that is episodic or in
12 remission is a disability if it would substantially
13 limit a major life activity when active.

14 "(E) (i) The determination of whether an
15 impairment substantially limits a major life ac-
16 tivity shall be made without regard to the ame-
17 liorative effects of mitigating measures such
18 as-

19 "(I) medication, medical supplies,
20 equipment, or appliances, low-vision de-
21 vices (which do not include ordinary eye-
22 glasses or contact lenses), prosthetics in-
23 eluding limbs and devices, hearing aids and
24 cochlear implants or other implantable

1 hearing devices, mobility devices, or oxygen

2 therapy equipment and supplies;
3 "(II) use of assistive technology;
4 "(III) reasonable accommodations or
5 auxiliary aids or services; or
6 "(IV) learned behavioral or adaptive
7 neurological modifications.
8 "(ii) The ameliorative effects of the miti-
9 gating measures of ordinary eyeglasses or con-
10 tact lenses shall be considered in determining
11 whether an impairment substantially limits a
12 major life activity.
13 "(iii) As used in this subparagraph-
14 "(I) the term 'ordinary eyeglasses or
15 contact lenses' means lenses that are in-
16 tended to fully correct visual acuity or
17 eliminate refractive error; and
18 "(II) the term 'low-vision devices'
19 means devices that magnify, enhance, or
20 otherwise augment a visual image."
21 (b) CONFORMING AMENDMENT.—The Americans
22 with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)
23 is further amended by adding after section 3 the following:
24 **"SEC. 4. ADDITIONAL DEFINITIONS.**
25 "As used in this Act:

1 "(1) AUXILIARY AIDS AND SERVICES. —The
2 term 'auxiliary aids and services' includes-
3 "(A) qualified interpreters or other effec-
4 tive methods of making aurally delivered mate-
5 rials available to individuals with hearing im-
6 pairments;
7 "(B) qualified readers, taped texts, or
8 other effective methods of making visually deliv-
9 ered materials available to individuals with vis-
10 ual impairments;
11 "(C) acquisition or modification of equip-
12 ment or devices; and
13 "(D) other similar services and actions.
14 "(2) STATE.—The term 'State' means each of
15 the several States, the District of Columbia, the
16 Commonwealth of Puerto Rico, Guam, American
17 Samoa, the Virgin Islands of the United States, the
18 Trust Territory of the Pacific Islands, and the Com-
19 monwealth of the Northern Mariana Islands."
20 (c) AMENDMENT TO THE TABLE OF CONTENTS.-
21 The table of contents contained in section 1(b) of the
22 Americans with Disabilities Act of 1990 is amended by
23 striking the item relating to section 3 and inserting the
24 following items:
"Sec. 3. Definition of disability. "
Sec. 4. Additional definitions."

1 **SEC. 5. DISCRIMINATION ON THE BASIS OF DISABILITY.**

2 (a) ON THE BASIS OF DISABILITY.—Section 102 of
3 the Americans with Disabilities Act of 1990 (42 U.S.C.

4 12112) is amended-

5 (1) in subsection (a), by striking "with a dis-
6 ability because of the disability of such individual"
7 and inserting "on the basis of disability"; and

8 (2) in subsection (b) in the matter preceding
9 paragraph (1), by striking "discriminate" and in-
10 sserting "discriminate against a qualified individual
11 on the basis of disability".

12 (b) QUALIFICATION STANDARDS AND TESTS RE-
13 LATED TO UNCORRECTED VISION.—Section 103 of the
14 Americans with Disabilities Act of 1990 (42 U.S.C.
15 12113) is amended by redesignating subsections (c) and
16 (d) as subsections (d) and (e), respectively, and inserting
17 after subsection (b) the following new subsection:

18 "(c) QUALIFICATION STANDARDS AND TESTS RE-
19 LATED TO UNCORRECTED VISION.—Notwithstanding sec-
20 tion 3(4)(E)(ii), a covered entity shall not use qualification
21 standards, employment tests, or other selection criteria
22 based on an individual's uncorrected vision unless the
23 standard, test, or other selection criteria, as used by the
24 covered entity, is shown to be job-related for the position
25 in question and consistent with business necessity."

26 (c) CONFORMING AMENDMENTS.—

1 (1) Section 101(8) of the Americans with Dis-
2 abilities Act of 1990 (42 U.S.C. 12111(8)) is
3 amended-

4 (A) in the paragraph heading, by striking
5 "WITH A DISABILITY"; and

6 (B) by striking "with a disability" after
7 "individual" both places it appears.

8 (2) Section 104(a) of the Americans with Dis-
9 abilities Act of 1990 (42 U.S.C. 12114(a)) is
10 amended by striking "the term 'qualified individual
11 with a disability' shall" and inserting "a qualified
12 individual with a disability shall".

13 **SEC. 6. RULES OF CONSTRUCTION.**

14 (a) Title V of the Americans with Disabilities Act of
15 1990 (42 U.S.C. 12201 et seq.) is amended-

16 (1) by adding at the end of section 501 the fol-
17 lowing:

18 "(e) BENEFITS UNDER STATE WORKER'S COM-
19 PENSATION LAWS.—Nothing in this Act alters the stand-
20 ards for determining eligibility for benefits under State
21 worker's compensation laws or under State and Federal
22 disability benefit programs.

23 "(f) FUNDAMENTAL ALTERATION.—Nothing in this
24 Act alters the provision of section 302 (b) (2) (A) (ii), speci-
25 fying that reasonable modifications in policies, practices,

1 or procedures shall be required, unless an entity can dem-
2 onstrate that making such modifications in policies, prac-
3 tices, or procedures, including academic requirements in
4 postsecondary education, would fundamentally alter the
5 nature of the goods, services, facilities, privileges, advan-
6 tages, or accommodations involved.

7 "(g) CLAIMS OF No DISABILITY.—Nothing in this
8 Act shall provide the basis for a claim by an individual
9 without a disability that the individual was subject to dis-
10 crimination because of the individual's lack of disability.

11 " (h) REASONABLE ACCOMMODATIONS AND MODI-
12 FICATIONS.—A covered entity under title I, a public entity
13 under title II, and any person who owns, leases (or leases
14 to), or operates a place of public accommodation under
15 title III, need not provide a reasonable accommodation or
16 a reasonable modification to policies, practices, or proce-
17 dures to an individual who meets the definition of dis-
18 ability in section 3(1) solely under subparagraph (C) of
19 such section.";

20 (2) by redesignating section 506 through 514
21 as sections 507 through 515, respectively, and add-
22 ing after section 505 the following:

1 **"SEC. 506. RULE OF CONSTRUCTION REGARDING REGU-**
2 **LATORY AUTHORITY.**

3 "The authority to issue regulations granted to the
4 Equal Employment Opportunity Commission, the Attor-
5 ney General, and the Secretary of Transportation under
6 this Act includes the authority to issue regulations imple-
7 menting the definitions of disability in section 3 (including
8 rules of construction) and the definitions in section 4, con-
9 sistent with the ADA Amendments Act of 2008."; and

10 (3) in section 511 (as redesignated by para-
11 graph (2)) (42 U.S.C. 12211), in subsection (c), by
12 striking "511(b)(3)" and inserting "512(b)(3)".

13 (b) The table of contents contained in section 1(b)
14 of the Americans with Disabilities Act of 1990 is amended
15 by redesignating the items relating to sections 506
16 through 514 as the items relating to sections 507 through
17 515, respectively, and by inserting after the item relating
18 to section 505 the following new item:

"Sec. 506. Rule of construction regarding regulatory authority."

19 **SEC. 7. CONFORMING AMENDMENTS.**

20 Section 7 of the Rehabilitation Act of 1973 (29
21 U.S.C. 705) is amended-

22 (1) in paragraph (9) (B), by striking "a phys-
23 ical" and all that follows through "major life activi-
24 ties", and inserting "the meaning given it in section

1 3 of the Americans with Disabilities Act of 1990 (42
2 U.S.C. 12102)"; and

3 (2) in paragraph (20) (B), by striking "any per-
4 son who" and all that follows through the period at
5 the end, and inserting "any person who has a dis-
6 ability as defined in section 3 of the Americans with
7 Disabilities Act of 1990 (42 U.S.C. 12102)."

8 **SEC. 8. EFFECTIVE DATE.**

9 This Act and the amendments made by this Act shall
10 become effective on January 1, 2009.

Passed the Senate September 11, 2008.

Attest:

Appendix iii

University of New Mexico Policy 2310 Academic Adjustments for Students with Disabilities

Administrative Policies and Procedures Manual - Policy 2310: Academic Adjustments for Students with Disabilities

Date Originally Issued: 08-02-2004

Subject to Change Without Notice

1. Policy

In keeping with the Rehabilitation Act of 1973 and the Americans With Disabilities Act of 1990, the University is committed to providing equal access to educational opportunities for qualified students with disabilities. The University shall provide reasonable academic adjustments as defined in [Section 3.3.](#) herein, to qualified students with disabilities as necessary to ensure equality of access to the courses, programs, services, and facilities of the University. However, students with disabilities are still required to adhere to all University policies, including policies concerning conduct and performance.

The student is responsible for demonstrating the need for an academic adjustment by providing [University Accessibility Resource Center](#) with complete and appropriate current documentation that establishes the disability, and the need for and appropriateness of the requested adjustment(s). The University is responsible for all costs of academic adjustments. The following sections provide procedures for students, faculty, and staff on academic adjustment requirements.

2. Procedures for Requesting and Determining Academic Adjustments

The first step in the process for a student who seeks academic adjustment because of a disability is to register with the [Accessibility Resource Center](#) Office and submit documentation of the disability from a licensed or certified professional in order to become eligible for services. Applicants to, or students in, the UNM School of Medicine and the Colleges of Nursing and Pharmacy should contact the UNM School of Medicine Manager of Student Learning Support Services for information on requesting academic adjustment. Applicants to, or students in, the UNM Law School should notify the Law School Registrar as well as the Accessibility Resource Center. Once a student establishes that he or she has a disability, the University will work with the student to determine what academic adjustments are appropriate and reasonable in accordance with [Section 3.3.](#) herein.

2.1. Student Responsibilities

It is the student's responsibility to demonstrate the need for an academic adjustment by providing [Accessibility Resource Center](#) with complete and appropriate current documentation that establishes the disability, and the need for and appropriateness of the requested adjustment(s). Accessibility Resource Center can provide information on the kind of documentation that is required. If the initial documentation is incomplete or inadequate, the student will be required to provide additional documentation at the student's expense.

Accessibility Resource Center will determine a student's eligibility and, in consultation with the student, will determine effective and appropriate academic adjustments in accordance with [Section 3.3.](#) herein. Accessibility Resource Center may consult with other University departments, as necessary, in order to make a determination of eligibility and what academic adjustments are appropriate and reasonable. Accessibility Resource Center will send a letter, per the student's request, to faculty, with a copy to cognizant department chairs, informing the faculty members of what adjustment(s) the student is to receive. Accessibility Resource Center is responsible for costs relating to academic adjustments that are part of instructional courses at the Albuquerque campus. Branch campuses are generally responsible for costs relating to academic adjustments for their students.

Once the student has established his or her eligibility for academic adjustments, Accessibility Resource Center will provide appropriate adjustments as expeditiously as possible. Generally, adjustments will be in place within fifteen (15) working days; however, some adjustments can require a longer period of time to arrange. Therefore, students are encouraged to pre-register with Accessibility Resource Center before classes begin so that adjustments can be in place when needed at the start of the semester. If pre-registration is not possible, students should register at the start of the semester or as soon as the need for an adjustment becomes known, and Accessibility Resource Center will make every effort to accommodate the student's needs as soon as possible. Requests received right at or after the start of a semester may result in the student being without the adjustment for part of the semester. Students should be aware that an academic adjustment does not apply retroactively, so that grades earned on exams, assignments, or other classroom activities before the adjustment takes effect will not be changed.

2.2. Faculty Responsibilities

Faculty members must provide students with the academic adjustments identified in the letter from [Accessibility Resource Center](#). If the faculty member has questions or concerns, or needs help with making the modifications called for, he or she should contact Accessibility Resource Center. If a student discloses a disability to a faculty member and requests an academic adjustment but the student does not have a letter from Accessibility Resource Center, the faculty member should direct the student to Accessibility Resource Center. It is not the faculty member's responsibility to decide whether the student has a disability and what adjustments are appropriate. Faculty can help the University meet its obligations to provide students with academic adjustments in a timely manner by stating on their class syllabus that students should inform them of any special needs as soon as possible. Students who do so should be referred to Accessibility Resource Center.

2.3. Appeal

In most instances the academic adjustment determination made by [Accessibility Resource Center](#) will be acceptable to the student and faculty. However, if that is not the case, the determination is subject to appeal. In addition, the student can appeal a determination by an academic unit that an adjustment would result in a fundamental alteration of a course or program. The Provost/HSC Dean, or designee, will convene an ad hoc committee to consider the appeal. Members of the ad hoc committee will include representatives from relevant University departments as determined on a case-by-case basis. The ad hoc committee will follow the appeal procedures listed in [Exhibit A](#). The ad hoc committee will make a recommendation to the Provost/HSC Dean, or designee, whose decision on the appeal is final for the University. Every effort should be made to arrive at a determination of the appeal as expeditiously as possible.

3. Criteria for Determining Academic Adjustments

The University shall make academic adjustments for the known physical or mental limitations of a qualified student with a disability, unless the University can show that providing an adjustment would result in:

- a fundamental alteration of the service, course, program, or activity;
- an undue financial, administrative, or academic burden, and/or;
- a direct threat to the health or safety of the student or others.

3.1. Individual with a Disability

An individual with a disability is a person who has, or has had a record of, or is regarded as having a physical or mental impairment that substantially limits a major life activity such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, or working.

3.2. Qualified Student with a Disability

A qualified student with a disability is a student with a disability who meets the academic and technical standards required for admission and participation in the programs and activities of the University of New Mexico.

3.3. Academic Adjustment

An academic adjustment is a modification or adjustment to instructional methods and/or to a course, program, service, or facility of the University that enables a qualified student with a disability to have equal access and opportunity to attain the same level of performance and to enjoy equal benefits and privileges as are available to similarly-situated students without a disability. Determining reasonable academic adjustments must be done on a case-by case basis and in consultation with the student. The University is not required to provide the specific adjustment requested, but the adjustment must be effective to enable a qualified student with a

disability to enjoy equal opportunity and access. All offers of adjustments are subject to applicable University policies.

3.3.1. Course or Program Modifications

The University shall provide such modifications to courses, programs, or educational requirements as are necessary and appropriate to enable a qualified student with a disability to enjoy equal opportunity and access. However, the University is not required to fundamentally alter the essential nature of a course or academic program. Reasonable academic adjustments may include, but are not limited to, extended time on an examination or paper, and oral instead of written examinations, where appropriate.

3.3.2. Auxiliary Aids and Services

Reasonable academic adjustments in the form of auxiliary aids and services may include, but are not limited to: note-takers, readers, Braille or large print materials, and sign language interpreters. However, the University is not required to provide devices or services of a personal nature such as personal attendants or personal devices utilized in activities of daily living.

4. Americans With Disabilities Act (ADA) Coordinator

The Americans With Disabilities Act (ADA) Coordinator for The University of New Mexico is the Director of the University Office of Equal Opportunity. Students who believe that they have been discriminated against on the basis of a disability may contact the [Office of Equal Opportunity](#) to file a complaint.

5. Attachments

[Exhibit A.](#) - Academic Adjustments for Students with Disabilities: Appeal Rights Procedures

UNM Policy 2310 Exhibit A: Academic Adjustments for Students with Disabilities: Appeal Rights Procedures

Pursuant to **Section 2.3.** of "[Academic Adjustments for Students with Disabilities](#)" **Policy 2310, UBP**, the following process shall govern consideration of student appeals.

Article 1. Submission of Appeal

1.1. A student may utilize this appeal process in the event that:

- Accessibility Resource Center finds that the student is not eligible for academic adjustments;
- the student disputes the academic adjustments that Accessibility Resource Center determines to be appropriate; or
- an academic unit determines that an adjustment would fundamentally alter the nature of a course or program.

Prior to invoking this process, the student must have provided the required documentation to Accessibility Resource Center and must have engaged with Accessibility Resource Center to resolve the problem.

1.2. The student must submit an appeal in writing to the Provost. Students at the Health Sciences Center should submit their appeal to the dean of their college. The appeal must describe the student's reasons for challenging the decision and the student's attempts to date to resolve the problem. The student should attach copies of any relevant documents that he or she wants to be considered.

1.3. The Provost/HSC Dean, or designee, shall promptly review the appeal and decide within five (5) working days whether, under paragraph [1.1](#) above, the appeal should proceed to review by a committee. If the appeal is not accepted, a written explanation shall be provided to the student. If the appeal is accepted, a copy shall be sent to Accessibility Resource Center and/or the academic unit, if appropriate.

1.4. Upon receipt of the student's appeal, Accessibility Resource Center and/or the academic unit has seven (7) days to respond in writing to the Provost/HSC Dean, or designee, and must include copies of any relevant documents it wants to be considered as evidence.

Article 2: Appointment of Committee

2.1. If the appeal is to proceed to committee, the Provost/HSC Dean, or designee, shall promptly appoint a committee made up of three (3) to five (5) members (faculty and/or staff) from relevant University departments. The student may challenge appointment(s) for cause. The Provost/HSC Dean, or designee, will decide the challenge. The Provost/HSC Dean, or designee, will promptly send a copy of the student's appeal and Accessibility Resource Center' and/or the academic unit's response to the committee members.

2.2. Committee members must promptly review the student's appeal and Accessibility Resource Center' and/or the academic unit's response(s) and will schedule a hearing. The committee will appoint a chairperson to preside at the hearing.

Article 3: Hearing Procedures

3.1. The student may have an advisor; however, the student is responsible for presenting his or her case. The advisor may be an attorney. The advisor is not permitted to present arguments or evidence or otherwise participate directly in the hearing.

3.2. Accessibility Resource Center and/or the academic unit may appoint a hearing representative. The representative may also have an advisor but the representative must present the department's case. The advisor may be an attorney. The advisor is not permitted to present arguments or evidence or otherwise participate directly in the hearing.

3.3. If the parties have any additional documentary evidence to be considered by the committee, it must be submitted at least three (3) business days before the hearing. A copy will be provided to the other party.

3.4. The committee has the right to secure evidence independently for the hearing. Any such evidence shall be provided to both parties at least three (3) business days before the hearing.

3.5. Parties may offer witness testimony. The names of any witnesses and a brief description of their testimony must be given to the committee at least five (5) business days before the hearing. The committee has the discretion to limit witness testimony.

3.6. The student and representative from Accessibility Resource Center and/or the academic unit will have an opportunity to address the committee. Committee members may question them and may also permit them to question each other, within reasonable limits.

3.7. Witnesses offered by one party are subject to questioning by the committee and the other party, within reasonable limits.

3.8. The hearing will be tape-recorded and the Provost/HSC Dean's office will keep the tape. The tape is the property of the University. No typed record will be made.

3.9. The hearing is not subject to judicial rules of evidence.

Article 4: Committee Decision

4.1. The committee's decision on the appeal will take the form of a recommendation to the Provost/HSC Dean, or designee.

4.2. The committee will decide the appeal based on the documentary evidence, testimony, and arguments presented at the hearing. The committee will issue a written decision within ten (10) days after the hearing and will send it to the student, Accessibility Resource Center, and/or academic unit, and to the Provost/HSC Dean, or designee.

4.3. After reviewing the committee's decision, the Provost/HSC Dean, or designee, may seek additional input from the student and Accessibility Resource Center and/or the academic unit. The Provost/HSC Dean, or designee, will issue a decision as expeditiously as possible accepting, rejecting, or modifying the committee's recommendation. The student has no right to appeal the Provost/HSC Dean, or designee, decision, but the student may file a discrimination complaint with the University's [Office of Equal Opportunity](#) if the student believes that he or she has been discriminated against on the basis of a disability.

Appendix iv Documentation Requirements

DOCUMENTATION REQUIREMENTS

Students requesting services from Accessibility Resource Center (ARC) are required to submit documentation of a disability to verify eligibility under the Americans with Disabilities Act Amendments Act (ADAAA), Section 504 of the Rehabilitation Act of 1973, and the University of New Mexico Policy 2310. ADAAA defines a disability as a substantial limitation of a major life function. The diagnostic report must document a disability. It is important to recognize that academic adjustment needs can change over time and are not always identified through the initial diagnostic process. Conversely, a prior history of accommodation, without demonstration of current need, does not in and of itself warrant the provision of a like accommodation. Submission of documentation is not the same as the request for services. Request for services and/or reasonable accommodations *must be initiated by the student* once he/she is admitted to the University of New Mexico (UNM). The applicant or student must schedule an intake appointment with ARC so that support services and reasonable accommodations may be discussed. Applicants to, or students in, the UNM School of Medicine and the Colleges of Nursing and Pharmacy should contact the UNM School of Medicine Programs' liaison for information on requesting academic adjustments. Applicants to, or students in, the UNM Law School should notify the Law School Assistant Dean for Student Services as well as ARC. Documentation will be reviewed by the documentation committee specific to the applicant or student's program of study prior to the appointment. Reasonable accommodations cannot be implemented until the student's documentation is complete. ARC is responsible for the determination of reasonable accommodations.

Please note programs of study may require students to take licensing or certification exams prior to graduation. Determination of academic adjustments is made by the national licensing or certification body not UNM. It is important to research their documentation requirements early in your program as it may be necessary to seek a reevaluation at your expense prior to the request for accommodations from the national testing body.

If documentation does not meet the preferences listed below, please submit it for review. The submission will be used to determine what if any if additional documentation is needed to meet the documentation requirements. If documentation is outdated or incomplete, students may be asked to provide an update to their information.

Guidelines for Learning and Communication Disabilities

A copy of the comprehensive psycho-educational report must be provided to the UNM, ARC in order for the student to be eligible for accommodations and/or modifications. Documentation within the last three years for high school age students entering UNM immediately upon

graduation and five years for nontraditional students is preferred. Older documentation will be taken into consideration by the committee.

School psychologists, clinical psychologists, neuropsychologists, psychiatrists, neuropsychiatrists, and other qualified medical doctors with experience and expertise in the area related to the student's disability should make the diagnosis.

The evaluation must include:

- A clear diagnosis generally based on DSM-IV-TR or DSM-V criteria.
- Testing must be comprehensive.
- Minimally, the domains to be addressed must include, but are not limited to
 - A diagnostic interview.
 - A complete psycho-educational or neuropsychological evaluation
- The following areas should be assessed
 - Aptitude - intellectual assessments;
 - Achievement - current levels of academic functioning;
 - Information Processing - specific areas of information processing.
- An interpretative summary.

OR A letter from a qualified professional including *all of the general guidelines listed above* providing substantial evidence of a prior diagnosis, accommodation, or classification, such as eligibility for a special education program.

OR An eligibility letter from Department of Vocational Rehabilitation or Veteran Services.

All reports should be on letterhead, typed, dated, signed, and otherwise legible. The name, title, and professional credentials of the evaluator, including information about license or certification as well as area of specialization, employment, and state in which the individual practices must be clearly stated. Evaluators should not be related to the individual being assessed. Diagnoses written on prescription pads and/or parent's notes indicating a disability are not considered appropriate documentation. A nonspecific diagnoses, such as individual "learning styles," "learning differences," "academic problems," "attention problems," "mood disorders," and "test difficulty/anxiety" in and of themselves do not constitute a disability.

The following *supplemental information* is useful, but not required. These pieces on their own are not usually considered complete, comprehensive documentation:

A summary of performance [SOP]
Individualized Education Plan [IEP]

Response to Intervention [RTI]
Section 504 Accommodation Plan [504]

Guidelines for Attention Deficit Hyperactivity Disorder (AD/HD)

While it is recognized that psychological testing alone does not justify an AD/HD diagnosis, such testing is considered an important part of establishing the impact of the disorder on learning and determining appropriate accommodations. It is also essential in determining the presence or absence of other conditions that frequently occur with the diagnosis, which may be of relevance in the classroom. Comprehensive psycho-educational or neuropsychological evaluations are strongly encouraged and may be required to support specific accommodation requests.

Clinical psychologists, neuropsychologists, psychiatrists, neuropsychiatrists, and other qualified medical doctors with experience and expertise in the area related to the student's disability should make the diagnosis.

At a minimum, all documentation in support of an AD/HD diagnosis should include the following information:

- A clear diagnosis generally based on DSM-IV-TR or DSM-V criteria.
- A history of symptoms of the disorder.
- An explanation of the functional limitations.

This is most typically provided in a detailed psycho-educational report including:

- Cognitive testing; examples of instruments include:
 - Wechsler Adult Intelligence Scale (Revised or IV),
 - Woodcock Johnson Psychoeducational Battery Test of Cognitive Ability (Revised or III).
- A complete neuropsychological battery describing processing strengths and weaknesses.
- Achievement testing including test results from individual achievement measures in math, written expression, and if relevant, foreign language acquisition.

[OR Disability Verification Form](#)

OR An eligibility letter from Department of Vocational Rehabilitation or Veteran Services.

All reports should be on letterhead, typed, dated, signed, and otherwise legible. The name, title, and professional credentials of the evaluator, including information about license or certification as well as area of specialization, employment, and state in which the individual practices must be clearly stated. Evaluators should not be related to the individual being assessed. Diagnoses written on prescription pads and/or parent's notes indicating a disability are not considered appropriate documentation.

The following ***supplemental information*** is useful, but not required) in planning for accommodations. These pieces on their own cannot usually be considered complete, comprehensive documentation:

A summary of performance [SOP]
Individualized Education Plan [IEP]

Response to Intervention [RTI]
Section 504 Accommodation Plan [504]

Guidelines for Brain Injury (BI)

Students submitting documentation of physical and/or cognitive impairment related to a brain injury (e.g., head trauma, CVA's, tumors, other medical conditions) must submit evidence of a disabling condition with evidence of functional impairment in major life activities of relevance to the classroom.

Neurologists, clinical psychologists, neuropsychologists, psychiatrists, neuropsychiatrists, and other qualified medical doctors with experience and expertise in the area related to the student's disability should make the diagnosis.

Such documentation should include:

- Detailed background information.
- A comprehensive neuropsychological evaluation.
- Detailed information regarding residual physical or medical impairments.
- A specific diagnosis, as per DSM-IV-TR, DSM-V, ICD 9, or ICD 10.
- Suggested recommendations, modifications and/or accommodations.
- Additional documentation on comorbid physical or medical conditions.

OR

[Disability Verification Form](#)

OR

An eligibility letter from Department of Vocational Rehabilitation or Veteran Services.

All reports should be on letterhead, typed, dated, signed, and otherwise legible. The name, title, and professional credentials of the evaluator, including information about license or certification as well as area of specialization, employment, and state in which the individual practices must be clearly stated. Evaluators should not be related to the individual being assessed. Diagnoses written on prescription pads and/or parent's notes indicating a disability are not considered appropriate documentation.

The following ***supplemental information*** is useful, but not required. These pieces on their own are not usually considered complete, comprehensive documentation:

A summary of performance [SOP]

Section 504 Accommodation Plan [504]

Information about Response to Intervention [RTI]

Individualized Education Plan [IEP]

Guidelines for Psychological Disabilities

Students submitting documentation of a psychological disability must submit evidence of a disabling condition with evidence of functional impairment in major life activities of relevance to the classroom. Accommodations are based on an assessment of the current nature and impact of your disability. Because psychiatric conditions may change over time, current evaluations are critical for providing reasonable accommodations. An evaluation within the last twelve (12) months is recommended. In addition, depending on the nature of the disability, evaluations may need to be updated on a semester-by-semester or yearly basis. Older documentation will be taken into consideration by the committee.

A formal assessment of your current psychiatric and health status, and a formal diagnosis of a disabling condition must be provided by a licensed treatment provider (e.g., psychologist, neuropsychologist, psychiatrist, neuropsychiatrist, licensed counselor, psychologist, licensed social worker, and psychiatric nurse practitioner).

Documentation should include:

- Comprehensive evaluation.
- Evidence of significant limitations in the educational setting.
- Minimally, the evaluator must include
 - A diagnostic interview.
 - A DSM-IV-TR, DMS-V, ICD-9, or ICD-10.
 - The dates of evaluation and/or treatment.
 - The evaluation should include medical and medication history.
 - A description of current functional limitations in different settings.
 - A description of the degree of impact of the diagnosed psychiatric disorder.

OR Disability Verification Form

OR An eligibility letter from Department of Vocational Rehabilitation or Veteran Services.

All reports should be on letterhead, typed, dated, signed, and otherwise legible. The name, title, and professional credentials of the evaluator, including information about license or certification as well as area of specialization, employment, and state in which the individual practices must be clearly stated. Diagnoses written on prescription pads and/or parent's notes indicating a disability are not considered appropriate documentation. Nonspecific diagnoses, such as "adjustment problems," "emotional difficulties," "mood disturbance," and/or "test difficulty/anxiety" in and of themselves do not constitute a disability.

The following ***supplemental information*** is useful, but not required. These pieces on their own are not usually considered complete, comprehensive documentation:

A summary of performance [SOP]
Individualized Education Plan [IEP]

Response to Intervention[RTI]
Section 504 Accommodation Plan [504]

Guidelines for Documenting a Physical or Medical Disability

A physician, surgeon, physical therapist, occupational therapist, or other medical specialist with experience and expertise in the area related to the student's disability, should make the diagnosis. The age of acceptable documentation is dependent upon the condition and the nature of the student's request for accommodations. Disabilities that are sporadic or change over time may require more frequent evaluations.

Conditions may include, but are not limited to, mobility impairments, multiple sclerosis, cerebral palsy, chemical sensitivities, spinal cord injuries, cancer, AIDS, muscular dystrophy, spina bifida, diabetes, asthma, etc.

Documentation should include:

- A clear statement of diagnosis using ICD 9 or ICD 10.
- A summary of assessment procedures and evaluation instruments that have been.
- Information relating to treatment and its impact on the student's ability.
- Relevant information regarding any medication.
- A statement of the functional limitations on learning or other major life activity.
- Rationale for each recommended accommodation.

OR

[Disability Verification Form](#)

OR

An eligibility letter from Department of Vocational Rehabilitation or Veteran Services.

All reports should be on letterhead, typed, dated, signed, and otherwise legible. The name, title, and professional credentials of the evaluator, including information about license or certification as well as area of specialization, employment, and state in which the individual practices must be clearly stated. Evaluators should not be related to the individual being assessed. Diagnoses written on prescription pads and/or parent's notes indicating a disability are not considered appropriate documentation.

The following ***supplemental information*** is useful, but not required. These pieces on their own cannot usually be considered complete, comprehensive documentation:

Section 504 Accommodation Plan [504]

Guidelines for Documenting Visual Impairments

An ophthalmologist, optometrist or other qualified professional should make the diagnosis and complete the appropriate documentation. The age of acceptable documentation is dependent upon the nature of the condition and the student's request for accommodations. Visual disabilities of a changing nature may need to be documented more frequently.

Documentation should include:

- A clear statement of vision-related disability with supporting numerical description.
- Also include a statement as to whether the condition is progressive or stable.
- Include the following sections that are relevant to the individual
 - Eye Health
 - Visual Fields
 - Binocular Evaluation
 - Accommodative Skills
 - Oculomotor Skill
- A summary of assessment procedures and evaluation instruments that were used.
- Narrative or descriptive text providing both quantitative and qualitative information.
- Medical information relating to the student's needs and the impact.
- A statement of the functional impacts or limitations of the vision loss.
- Specific cognitive processing strengths, weaknesses, and deficits.
- Recommended accommodations.

OR Disability Verification Form

OR An eligibility letter from the New Mexico Commission for the Blind or Veteran Services.

All reports should be on letterhead, typed, dated, signed, and otherwise legible. The name, title, and professional credentials of the evaluator, including information about license or certification as well as area of specialization, employment, and state in which the individual practices must be clearly stated. Evaluators should not be related to the individual being assessed. Diagnoses written on prescription pads and/or parent's notes indicating a disability are not considered appropriate documentation.

The following *supplemental information* is useful, but not required. These pieces on their own cannot usually be considered complete, comprehensive documentation:

Section 504 Accommodation Plan [504]

Guidelines for Documenting Deaf and Hard of Hearing

A physician, audiologist, speech and hearing specialist or other qualified professional should make the diagnosis. The age of acceptable documentation is dependent upon the condition and the nature of the student's request for accommodations. Hearing loss of a changing nature may need to be documented more frequently.

Documentation should include:

- A clear statement of deafness or any degree of hearing loss with a current audiogram.
- Include the cause of hearing loss, on-set of hearing loss, and clinical diagnosis.
- A summary of assessment procedures and evaluation instruments used.
- Narrative summary.
- Medical information relating to the student's needs the status of hearing.
- A statement of the functional impacts or limitations of the hearing loss on learning.
- Specific cognitive processing strengths, weaknesses, and deficits.

OR

[Disability Verification Form](#)

OR

An eligibility letter from New Mexico Commission for the Deaf and Hard of Hearing or Veteran Services.

All reports should be on letterhead, typed, dated, signed, and otherwise legible. The name, title, and professional credentials of the evaluator, including information about license or certification as well as area of specialization, employment, and state in which the individual practices must be clearly stated. Evaluators should not be related to the individual being assessed. Diagnoses written on prescription pads and/or parent's notes indicating a disability are not considered appropriate documentation.

The following ***supplemental information*** is useful, but not required. These pieces on their own cannot usually be considered complete, comprehensive documentation:

Section 504 Accommodation Plan [504]

Summary of Eligibility

Name: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: () _____ E-mail: _____

Banner ID:

Ethnicity:

- | | | |
|-------------------------------------------|-----------------------------------|-------------------------------------------------|
| <input type="checkbox"/> African American | <input type="checkbox"/> Hispanic | <input type="checkbox"/> White Non-Hispanic |
| <input type="checkbox"/> American Indian | <input type="checkbox"/> Hawaiian | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Asian | <input type="checkbox"/> Mixed | <input type="checkbox"/> Prefer to Not Disclose |

Eligibility Category:

- | | | |
|-----------------------------------------|-----------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> ADHD | <input type="checkbox"/> Deaf/Hard of Hearing | <input type="checkbox"/> Provisional Services ____ |
| <input type="checkbox"/> Asperger's/HFA | <input type="checkbox"/> Blind/Low Vision | <input type="checkbox"/> Orthopedic |
| <input type="checkbox"/> Brain Injury | <input type="checkbox"/> Psychological | <input type="checkbox"/> Learning (LD) |
| <input type="checkbox"/> Chronic Health | <input type="checkbox"/> Other _____ | |

Accommodations:

- | | | |
|-----------------------------------------------|--------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> Accessible Furniture | <input type="checkbox"/> CCTV | <input type="checkbox"/> Record Lecture |
| <input type="checkbox"/> Alternative Text | <input type="checkbox"/> Front Row Seating | <input type="checkbox"/> Reduced Courseload |
| <input type="checkbox"/> Braille | <input type="checkbox"/> Interpreter | <input type="checkbox"/> Smart Pen |
| <input type="checkbox"/> Enlarged _____ | <input type="checkbox"/> Lab Assistant | <input type="checkbox"/> Other |
| <input type="checkbox"/> PDF | <input type="checkbox"/> Note Takers | <input type="checkbox"/> Read & Write Gold |
| <input type="checkbox"/> RTF | <input type="checkbox"/> FM System | <input type="checkbox"/> Real-Time Captioning |

Testing Accommodations:

- Testing Time: 1.0X 1.5X 2.0X Other _____
- | | | |
|--------------------------------------|----------------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Braille | <input type="checkbox"/> Enlarged (Font Size ____) | <input type="checkbox"/> Screen Reader |
| <input type="checkbox"/> Calculator | <input type="checkbox"/> Private Test Room | <input type="checkbox"/> Semi-Private Room |
| <input type="checkbox"/> CCTV | <input type="checkbox"/> Reader | <input type="checkbox"/> Speech Recognition |
| <input type="checkbox"/> Computer | <input type="checkbox"/> Screen Magnification | <input type="checkbox"/> Spell Check |
| <input type="checkbox"/> Other _____ | | |

Student: _____ Date: _____

Staff: _____ Date: _____

Appendix vii

AHEAD Program Standards and Performance Indicators

AHEAD Program Standards and Performance Indicators

The Association on Higher Education and Disability (AHEAD) is pleased to offer these revised Professional Standards and Performance Indicators to the field. The standards reflect the maturation of the postsecondary disability services profession, describe the breadth of skills and knowledge required of personnel administering the Office for Students with Disabilities (OSD), and present a consensus among experts in the field regarding minimum essential services. These standards are intended to enhance service provision for college students with disabilities by directing program evaluation and development efforts, improving personnel preparation and staff development, guiding the formulation of job descriptions for OSD personnel, informing judges and requisite court decisions regarding appropriate practice and, lastly, expanding the vision of disability services at the postsecondary level.

1. Consultation / Collaboration

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

1.1 Serve as an advocate for issues regarding students with disabilities to ensure equal access.

- Foster collaboration between disability services and administration as it relates to policy implementation.
- Ensure key administrators remain informed of emerging disability issues on campus that may warrant a new or revised policy.
- Foster a strong institutional commitment to collaboration on disability issues among key administrative personnel (e.g., deans, registrar, campus legal counsel).
- Work with facilities to foster campus awareness regarding physical access.
- Work collaboratively with academic affairs on policy regarding course substitutions.
- Foster an institutional commitment to promoting student abilities rather than a student's disability.
- Foster meaningful inclusion of students with disabilities in campus life (e.g., residential activities, extracurricular activities).

1.2 Provide disability representation on relevant campus committees.

- Advise campus student affairs regarding disability-related issues (e.g., student discipline, student activities).
- Participate on a campus-wide disability advisory committee consisting of faculty, students, administrators, and community representatives.
- Participate on campus administrative committees such as a campus committee on individuals with disabilities.

2. Information Dissemination

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

2.1 Disseminate information through institutional electronic and printed publications regarding disability services and how to access them.

- Distribute policy and procedures(s) on availability of services via all relevant campus publications (catalogs, programmatic materials, web sites, etc.).
- Ensure referral, documentation, and disability services information is up to date and accessible on the institution's web site.
- Ensure that criteria and procedures for accessing accommodations are clearly delineated and disseminated to the campus community.
- Ensure access to information about disabilities to students, administration, faculty, and service professionals.
- Provide information on grievance and complaint procedures when requested.
- Include a statement in the institutional publications regarding self-disclosure for students with disabilities.

2.2 Provide services that promote access to the campus community.

- Provide information for the acquisition of computerized communication, text telephone (TT), or telecommunications devices (TDD) for the deaf.
- Promote universal design in facilities.
- Promote universal design in communication.
- Promote universal design in instruction.
- Facilitate the acquisition and availability of a wide variety of assistive technology to help

students access materials in alternative formats (e.g., JAWS for Windows screen reader, Kurzweil Voice Pro, Mountbatten Brailier).

2.3 Disseminate information to students with disabilities regarding available campus and community disability resources.

- Provide information and referrals to assist students in accessing campus resources.

3. Faculty / Staff Awareness

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

3.1 Inform faculty regarding academic accommodations, compliance with legal responsibilities, as well as instructional, programmatic, and curriculum modifications.

- Inform faculty of their rights and responsibilities to ensure equal educational access.
- Inform faculty of the procedures that students with disabilities must follow in arranging for accommodations.
- Collaborate with faculty on accommodation decisions when there is a potential for a fundamental alteration of an academic requirement.

3.2 Provide consultation with administrators regarding academic accommodations, compliance with legal responsibilities, as well as instructional, programmatic, physical, and curriculum modifications.

- Foster administrative understanding of the impact of disabilities on students.

3.3 Provide disability awareness training for campus constituencies such as faculty, staff, and administrators.

- Provide staff development regarding understanding of policies and practices that apply to students with disabilities in postsecondary settings.
- Provide staff development to enhance understanding of faculty's responsibility to provide accommodations to students and how to provide accommodations and modifications.
- Provide administration and staff training to enhance institutional understanding of the rights of students with disabilities.
- Participate in administrative and staff training to delineate responsibilities relative to students with disabilities.
- Training for staff (e.g., residential life, maintenance, and library personnel) to facilitate and enhance the integration of students with disabilities into the college community.

3.4 Provide information to faculty about services available to students with disabilities.

- Provide staff development for faculty and staff to refer students who may need disability services.

4. Academic Adjustments

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

- 4.1 Maintain records that document the student's plan for the provision of selected accommodations.
 - Create a confidential file on each student including relevant information pertaining to eligibility and provision of services.
 - Document the basis for accommodation decisions and recommendations.
 - Develop a case management system that addresses the maintenance of careful and accurate records of each student.
- 4.2 Determine with students appropriate academic accommodations and services.
 - Conduct a review of disability documentation.
 - Incorporate a process that fosters the use of effective accommodations, taking into consideration the environment, task, and the unique needs of the individual.
 - Review the diagnostic testing to determine appropriate accommodations or supports.
 - Accommodation requests are handled on a case-by-case basis and relate to students' strengths and weaknesses, which are identified in their documentation.
 - Determine if the student's documentation supports the need for the requested accommodation.
 - On a case-by-case basis, consider providing time-limited, provisional accommodations pending receipt of clinical documentation, after which a determination is made.
- 4.3 Collaborate with faculty to ensure that reasonable academic accommodations do not fundamentally alter the program of study.
 - Provide reasonable accommodations for students with disabilities to ensure program accessibility, yet do not compromise the essential elements of the course or curriculum.
 - Ensure an array of supports, services and assistive technology so that student needs for modifications and accommodations can be met.
 -

5. Counseling and Self-Determination

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

- 5.1 Use a service delivery model that encourages students with disabilities to develop independence.
 - Educate and assist students with disabilities to function independently.
 - Develop a program mission that is committed to promoting self-determination for students with disabilities.

6. Policies and Procedures

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

- 6.1 Develop, review and revise written policies and guidelines regarding procedures for determining and accessing "reasonable accommodations."
- Develop, review and revise procedures for students to follow regarding the accommodation process.
 - Develop, review and revise policies describing disability documentation review.
 - Develop, review and revise procedures regarding student eligibility for services.
 - Develop, review and revise eligibility for services policies and procedures that delineate steps required for students to access services, including accommodations.
 - Develop, review and revise procedures to determine if students receive provisional accommodations during any interim period (e.g., assessment is being updated or re-administered).
- 6.2 Assist with the development, review, and revision of written policies and guidelines for institutional rights and responsibilities with respect to service provision.
- Assist with the development, review, and revision of policies and procedures on course substitutions, including institution requirements (e.g., foreign language or writing requirements).
 - Assist with the development, review, and revision of policy and procedures regarding priority registration.
 - Develop, review and revise policies and procedures that maintain a balance between "reasonable accommodation" and "otherwise qualified" while "not substantially altering technical standards."
 - Develop, review, and revise policies regarding the provision of disability services (e.g., interpreter services).
 - Develop, review and revise disability documentation guidelines to determine eligibility for accommodations at the postsecondary level.
 - Assist the institution with the development, review, and revision of policies regarding the faculty's responsibility for serving students with disabilities.
 - Collaborate with the development, review, and revision of policies regarding IT (e.g., alternative formats).
- 6.3 Develop, review and revise written policies and guidelines for student rights and responsibilities with respect to receiving services.
- Develop consistent practices and standards for documentation.
 - Develop, review and revise policies regarding students' responsibility to provide recent and appropriate documentation of disability.
 - Assist with the development, review, and revision of policies regarding students' responsibility to meet the Institution's qualifications and essential technical, academic, and institutional standards.
 - Develop, review and revise policies regarding students' responsibility to follow specific procedures for obtaining reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids.

- Assist with the development, review, and revision of procedures a student must follow regarding program modifications (e.g., course substitutions).
 - Develop, review, and revise procedures for notifying staff (e.g., interpreter, note taker) when a student will not attend a class meeting.
- 6.4 Develop, review and revise written policies and guidelines regarding confidentiality of disability information.
- Develop, review and revise policy articulating students understanding of who will have access to their documentation and the assurance that it will not be shared inappropriately with other campus units.
 - Develop, review and revise policies and procedures regarding privacy of records, including testing information, prior records and permission to release confidential records to other agencies or individuals.
- 6.5 Assist with the development, review, and revision of policies and guidelines for settling a formal complaint regarding the determination of a "reasonable accommodation."
- Assist with the development, review, and revision of procedures for resolving disagreements regarding specific accommodation requests, including a defined process by which a review of the request can occur.
 - Assist with the development, review, and revision of compliance efforts and procedures to investigate complaints.
 - Assist with the development, review, and revision of a conflict resolution process with a systematic procedure to follow by both the grievant and the institutional representative.

7. Program Administration and Evaluation

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

- 7.1 Provide services that are aligned with the institution's mission or services philosophy
- Develop a program mission statement and philosophy that is compatible with the mission of the institution.
 - Program personnel and other institutional staff understand and support the mission of the office for students with disabilities.
- 7.2 Coordinate services for students with disabilities through a full-time professional.
- At least one full-time professional is responsible for disability services as a primary role.
- 7.3 Collect student feedback to measure satisfaction with disability services.
- Assess the effectiveness of accommodations and access provided to students with disabilities (e.g., timeliness of response to accommodation request).
 - Student satisfaction data is included in evaluation of disability services.
- 7.4 Collect data to monitor use of disability services.

- Provide feedback to physical plant regarding physical access for students with disabilities.
 - Collect data to assess the effectiveness of services provided.
 - Collect data to identify ways the program can be improved.
 - Collect data to project program growth and needed funding increases.
- 7.5 Report program evaluation data to administrators.
- Develop an annual evaluation report on your program using the qualitative and quantitative data you've collected.
- 7.6 Provide fiscal management of the office that serves students with disabilities.
- Develop a program budget.
 - Effectively manage your program's fiscal resources.
 - Seek additional internal or external funds as needed.
 - Develop political support for your program and its budget.
- 7.7 Collaborate in establishing procedures for purchasing the adaptive equipment needed to assure equal access.
- Assist with the determination of the needs for assistive technology and adaptive equipment at your institution.
 - Advise other departments regarding the procurement of needed assistive technology and adaptive equipment.
 - Provide or arrange for assistance to students to operate assistive technology and adaptive equipment.

8. Training and Professional Development

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

- 8.1 Provide disability services staff with on-going opportunities for professional development.
- Provide orientation and staff development for new disability personnel.
 - Ensure that professional development funds are available for disability personnel.
 - Provide opportunities for ongoing training based on a needs assessment of the knowledge and skills of disability personnel.
- 8.2 Provide services by personnel with training and experience working with college students with disabilities (e.g., student development, degree programs).
- Ensure staff can understand and interpret assessments/documentation.
- 8.3 Assure that personnel adhere to relevant Codes of Ethics (e.g., AHEAD, APA).
- Refer to and apply a relevant professional code of ethics when dealing with challenging situations.

AHEAD Code of Ethics

We agree that these principles are the Code of Ethics for postsecondary disability service providers. As professionals, we are responsible for upholding, supporting, and advancing these ideas whenever possible. Members of AHEAD agree to monitor themselves and their peers in accordance with the spirit and provisions of this code, as delineated by the following principles:

1. Postsecondary disability service providers are committed to facilitating the highest levels of educational excellence and potential quality of life for postsecondary students with disabilities.
2. Postsecondary disability service providers strive to achieve and maintain the highest levels of competence and integrity in all areas of assistance to adult students with disabilities. This support is guided by the consistent use of objective, professional judgment in all areas, especially when addressing the confidential nature of the student's disability.
3. Postsecondary disability service providers continually participate in professional activities and educational opportunities designed to strengthen the personal, educational, and vocational quality of life for students with disabilities. This includes the on-going development of strategies, skills, research, and knowledge pertinent to the highest quality of disability service delivery whenever and wherever it occurs.
4. Postsecondary disability service providers carry out their responsibilities in accordance with AHEAD professional standards and policy guidelines for adult students with disabilities. When certified, licensed, or affiliated with other professionals or organizations, they comply with those professional guidelines as well.
5. Postsecondary service providers are actively engaged in supporting and clarifying institutional, state, provincial, and federal laws, policies, and procedures applicable to the service delivery to students with disabilities. Compliance implies that professionals will not condone or participate in any unethical or illegal acts discussed within these guidelines.

July 1996

AHEAD Professional Standards

1. Administration

Responsibilities related to the administration or management of the office serving students with disabilities.

1. Develops program policies and procedures (e.g., required documentation, course substitutions).
2. Develops program services.

3. Maintains up-to-date knowledge of emerging issues in disability services (e.g., ADD/ADHD).
4. Identifies/establishes program goals.
5. Evaluates program services.
6. Communicates program activities, services, and outcomes to institutional administrators.
7. Supervise/trains program staff.
8. Develops/administers program budget.
9. Compiles reports on program activities/services.
10. Develops program brochure and handbook.
11. Responds to requests for interpretation of legal mandates on campus-specific issues.
12. Evaluates program staff.
13. Interprets court/government agency rulings and interpretations affecting services for students.

2. Direct Service

Providing services directly to students or acting on behalf of students with members of the campus community.

1. Maintains confidential student records (e.g., documentation of disability).
2. Serves as an advocate for students with faculty or administrators.
3. Determines program eligibility for services based upon documentation of a disability.
4. Responds to inquiries from prospective students or their parents.
5. Consults with students about appropriate individualized accommodations based upon documentation.
6. Provides information to students regarding their legal rights and responsibilities.
7. Communicates information regarding program activities and services to students.
8. Consults with faculty regarding the instructional needs of students.
9. Consults with institutional administrators regarding the needs of students (e.g., department directors).
10. Consults with other campus departments regarding the needs of students (e.g., health services, residential life, admissions, counseling services).
11. Communicates information regarding program services to the campus community (e.g., admissions brochure, student catalog).
12. Arranges auxiliary aides for students.
13. Arranges individualized accommodations for students (e.g., testing accommodations).
14. Distributes program brochure or handbook to campus departments (e.g., health services, counseling services).
15. Processes complaints/grievances from students.
16. Provides personal/individual counseling to students relating to disability issues.
17. Coordinates assistants for students (e.g., notetakers, interpreters, readers).
18. Provides academic advisement to students relating to disability issues.
19. Provides counseling/advisement to enhance student development (e.g., self-advocacy).
20. Assists students in self-monitoring the effectiveness of accommodations.

3. Consultation/Collaboration

Working with campus or community personnel and agencies regarding students with disabilities or disability issues.

1. Consults with state, provincial, or community resources (e.g., rehabilitation services).
2. Collaborates with physical plant to ensure modifications to campus facilities.
3. Maintains up-to-date knowledge of adaptive technology.
4. Collaborates with campus architects to review or plan new construction and renovations.
5. Conducts campus-wide disability awareness activities (e.g., disability awareness day).
6. Communicates program activities to campus community (e.g., via campus newspapers).
7. Conducts outreach activities for high school students (e.g., college fairs, transition workshops).
8. Consults with campus personnel regarding job accommodations for faculty and campus staff with disabilities.

4. Institutional Awareness

Providing training and expertise regarding disability issues to members of the campus community.

1. Serves on campus committees to develop institutional policies and procedures regarding students with disabilities.
2. Provides training for faculty regarding awareness of disabilities.
3. Serves on campus committees addressing regulatory issues affecting students with disabilities.
4. Provides training for campus staff regarding awareness of disabilities.
5. Responsible for organizing training for campus personnel regarding the legal requirements of serving students with disabilities.
6. Provides training for faculty regarding accommodations and auxiliary aides.
7. Provides training for institutional administration regarding awareness of disabilities.

5. Professional Development

Maintaining up-to-date professional knowledge and skill.

1. Attends conferences and professional development workshops.
2. Reads professional literature related to postsecondary education and students with disabilities.
3. Holds membership in professional organizations.

Appendix viii National Association for Social Workers Standards for Social Work Case Management

Preamble

The primary mission of the social work profession is to enhance human wellbeing and help meet the basic human needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty. A historic and defining feature of social work is the profession's focus on individual wellbeing in a social context and the well-being of society. Fundamental to social work is attention to the environmental forces that create, contribute to, and address problems in living.

Social workers promote social justice and social change with and on behalf of clients. "Clients" is used inclusively to refer to individuals, families, groups, organizations, and communities. Social workers are sensitive to cultural and ethnic diversity and strive to end discrimination, oppression, poverty, and other forms of social injustice. These activities may be in the form of direct practice, community organizing, supervision, consultation administration, advocacy, social and political action, policy development and implementation, education, and research and evaluation. Social workers seek to enhance the capacity of people to address their own needs. Social workers also seek to promote the responsiveness of organizations, communities, and other social institutions to individuals' needs and social problems.

The mission of the social work profession is rooted in a set of core values. These core values, embraced by social workers throughout the profession's history, are the foundation of social work's unique purpose and perspective:

- service
- social justice
- dignity and worth of the person
- importance of human relationships
- integrity
- competence.

This constellation of core values reflects what is unique to the social work profession. Core values, and the principles that flow from them, must be balanced within the context and complexity of the human experience.

Purpose of the NASW Code of Ethics

Professional ethics are at the core of social work. The profession has an obligation to articulate its basic values, ethical principles, and ethical standards. The *NASW Code of Ethics* sets forth these values, principles, and standards to guide social workers' conduct. The *Code* is relevant to all social workers and social work students, regardless of their professional functions, the settings in which they work, or the populations they serve.

The *NASW Code of Ethics* serves six purposes:

1. The Code identifies core values on which social work's mission is based.
2. The *Code* summarizes broad ethical principles that reflect the profession's core values and establishes a set of specific ethical standards that should be used to guide social work practice.
3. The *Code* is designed to help social workers identify relevant considerations when professional obligations conflict or ethical uncertainties arise.
4. The *Code* provides ethical standards to which the general public can hold the social work profession accountable.
5. The *Code* socializes practitioners new to the field to social work's mission, values, ethical principles, and ethical standards.
6. The *Code* articulates standards that the social work profession itself can use to assess whether social workers have engaged in unethical conduct. NASW has formal procedures to adjudicate ethics complaints filed against its members.* In subscribing to this *Code*, social workers are required to cooperate in its implementation, participate in NASW adjudication proceedings, and abide by any NASW disciplinary rulings or sanctions based on it.

The *Code* offers a set of values, principles, and standards to guide decision making and conduct when ethical issues arise. It does not provide a set of rules that prescribe how social workers should act in all situations. Specific applications of the *Code* must take into account the context in which it is being considered and the possibility of conflicts among the *Code's* values, principles, and standards. Ethical responsibilities flow from all human relationships, from the personal and familial to the social and professional.

Further, the *NASW Code of Ethics* does not specify which values, principles, and standards are most important and ought to outweigh others in instances when they conflict. Reasonable differences of opinion can and do exist among social workers with respect to the ways in which values, ethical principles, and ethical standards should be rank ordered when they conflict. Ethical decision making in a given situation must apply the informed judgment of the individual social worker and should also consider how the issues would be judged in a peer review process where the ethical standards of the profession would be applied.

Ethical decision making is a process. There are many instances in social work where simple answers are not available to resolve complex ethical issues. Social workers should take into consideration all the values, principles, and standards in this *Code* that are relevant to any situation in which ethical judgment is warranted. Social workers' decisions and actions should be consistent with the spirit as well as the letter of this *Code*.

In addition to this *Code*, there are many other sources of information about ethical thinking that may be useful. Social workers should consider ethical theory and principles generally, social work theory and research, laws, regulations, agency policies, and other relevant codes of ethics, recognizing that among codes of ethics social workers should consider the *NASW Code of Ethics* as their primary source. Social workers also should be aware of the impact on ethical decision making of their clients' and their own personal values and cultural and religious beliefs and practices. They should be aware of any conflicts between personal and professional values and deal with them responsibly. For additional guidance social workers should consult the relevant literature on professional ethics and ethical decision making and seek appropriate consultation when faced with ethical dilemmas. This may involve consultation with an agencybased or social

work organization's ethics committee, a regulatory body, knowledgeable colleagues, supervisors, or legal counsel.

Instances may arise when social workers' ethical obligations conflict with agency policies or relevant laws or regulations. When such conflicts occur, social workers must make a responsible effort to resolve the conflict in a manner that is consistent with the values, principles, and standards expressed in this Code. If a reasonable resolution of the conflict does not appear possible, social workers should seek proper consultation before making a decision.

The *NASW Code of Ethics* is to be used by NASW and by individuals, agencies, organizations, and bodies (such as licensing and regulatory boards, professional liability insurance providers, courts of law, agency boards of directors, government agencies, and other professional groups) that choose to adopt it or use it as a frame of reference. Violation of standards in this *Code* does not automatically imply legal liability or violation of the law. Such determination can only be made in the context of legal and judicial proceedings. Alleged violations of the *Code* would be subject to a peer review process. Such processes are generally separate from legal or administrative procedures and insulated from legal review or proceedings to allow the profession to counsel and discipline its own members.

A code of ethics cannot guarantee ethical behavior. Moreover, a code of ethics cannot resolve all ethical issues or disputes or capture the richness and complexity involved in striving to make responsible choices within a moral community. Rather, a code of ethics sets forth values, ethical principles, and ethical standards to which professionals aspire and by which their actions can be judged. Social workers' ethical behavior should result from their personal commitment to engage in ethical practice. The *NASW Code of Ethics* reflects the commitment of all social workers to uphold the profession's values and to act ethically. Principles and standards must be applied by individuals of good character who discern moral questions and, in good faith, seek to make reliable ethical judgments.

Ethical Principles

The following broad ethical principles are based on social work's core values of service, social justice, dignity and worth of the person, importance of human relationships, integrity, and competence. These principles set forth ideals to which all social workers should aspire.

Value: *Service*

Ethical Principle: *Social workers' primary goal is to help people in need and to address social problems.*

Social workers elevate service to others above selfinterest. Social workers draw on their knowledge, values, and skills to help people in need and to address social problems. Social workers are encouraged to volunteer some portion of their professional skills with no expectation of significant financial return (pro bono service).

Value: *Social Justice*

Ethical Principle: *Social workers challenge social injustice.*

Social workers pursue social change, particularly with and on behalf of vulnerable and oppressed individuals and groups of people. Social workers' social change efforts are focused primarily on issues of poverty, unemployment, discrimination, and other forms of social injustice. These activities seek to promote sensitivity to and knowledge about oppression and cultural and ethnic diversity. Social workers strive to ensure access to needed information, services, and resources; equality of opportunity; and meaningful participation in decision making for all people.

Value: *Dignity and Worth of the Person*

Ethical Principle: *Social workers respect the inherent dignity and worth of the person.*

Social workers treat each person in a caring and respectful fashion, mindful of individual differences and cultural and ethnic diversity. Social workers promote clients' socially responsible selfdetermination. Social workers seek to enhance clients' capacity and opportunity to change and to address their own needs. Social workers are cognizant of their dual responsibility to clients and to the broader society. They seek to resolve conflicts between clients' interests and the broader society's interests in a socially responsible manner consistent with the values, ethical principles, and ethical standards of the profession.

Value: *Importance of Human Relationships*

Ethical Principle: *Social workers recognize the central importance of human relationships.*

Social workers understand that relationships between and among people are an important vehicle for change. Social workers engage people as partners in the helping process. Social workers seek to strengthen relationships among people in a purposeful effort to promote, restore, maintain, and enhance the wellbeing of individuals, families, social groups, organizations, and communities.

Value: *Integrity*

Ethical Principle: *Social workers behave in a trustworthy manner.*

Social workers are continually aware of the profession's mission, values, ethical principles, and ethical standards and practice in a manner consistent with them. Social workers act honestly and responsibly and promote ethical practices on the part of the organizations with which they are affiliated.

Value: *Competence*

Ethical Principle: *Social workers practice within their areas of competence and develop and enhance their professional expertise.*

Social workers continually strive to increase their professional knowledge and skills and to apply them in practice. Social workers should aspire to contribute to the knowledge base of the profession.

Ethical Standards

The following ethical standards are relevant to the professional activities of all social workers. These standards concern (1) social workers' ethical responsibilities to clients, (2) social workers' ethical responsibilities to colleagues, (3) social workers' ethical responsibilities in practice settings, (4) social workers' ethical responsibilities as professionals, (5) social workers' ethical responsibilities to the social work profession, and (6) social workers' ethical responsibilities to the broader society.

Some of the standards that follow are enforceable guidelines for professional conduct, and some are aspirational. The extent to which each standard is enforceable is a matter of professional judgment to be exercised by those responsible for reviewing alleged violations of ethical standards.

1. SOCIAL WORKERS' ETHICAL RESPONSIBILITIES TO CLIENTS

1.01 Commitment to Clients

Social workers' primary responsibility is to promote the wellbeing of clients. In general, clients' interests are primary. However, social workers' responsibility to the larger society or specific legal obligations may on limited occasions supersede the loyalty owed clients, and clients should be so advised. (Examples include when a social worker is required by law to report that a client has abused a child or has threatened to harm self or others.)

1.02 SelfDetermination

Social workers respect and promote the right of clients to selfdetermination and assist clients in their efforts to identify and clarify their goals. Social workers may limit clients' right to self-determination when, in the social workers' professional judgment, clients' actions or potential actions pose a serious, foreseeable, and imminent risk to themselves or others.

1.03 Informed Consent

(a) Social workers should provide services to clients only in the context of a professional relationship based, when appropriate, on valid informed consent. Social workers should use clear and understandable language to inform clients of the purpose of the services, risks related to the services, limits to services because of the requirements of a thirdparty payer, relevant costs, reasonable alternatives, clients' right to refuse or withdraw consent, and the time frame covered by the consent. Social workers should provide clients with an opportunity to ask questions.

(b) In instances when clients are not literate or have difficulty understanding the primary language used in the practice setting, social workers should take steps to ensure clients' comprehension. This may include providing clients with a detailed verbal explanation or arranging for a qualified interpreter or translator whenever possible.

(c) In instances when clients lack the capacity to provide informed consent, social workers should protect clients' interests by seeking permission from an appropriate third party, informing

clients consistent with the clients' level of understanding. In such instances social workers should seek to ensure that the third party acts in a manner consistent with clients' wishes and interests. Social workers should take reasonable steps to enhance such clients' ability to give informed consent.

(d) In instances when clients are receiving services involuntarily, social workers should provide information about the nature and extent of services and about the extent of clients' right to refuse service.

(e) Social workers who provide services via electronic media (such as computer, telephone, radio, and television) should inform recipients of the limitations and risks associated with such services.

(f) Social workers should obtain clients' informed consent before audiotaping or videotaping clients or permitting observation of services to clients by a third party.

1.04 Competence

(a) Social workers should provide services and represent themselves as competent only within the boundaries of their education, training, license, certification, consultation received, supervised experience, or other relevant professional experience.

(b) Social workers should provide services in substantive areas or use intervention techniques or approaches that are new to them only after engaging in appropriate study, training, consultation, and supervision from people who are competent in those interventions or techniques.

(c) When generally recognized standards do not exist with respect to an emerging area of practice, social workers should exercise careful judgment and take responsible steps (including appropriate education, research, training, consultation, and supervision) to ensure the competence of their work and to protect clients from harm.

1.05 Cultural Competence and Social Diversity

(a) Social workers should understand culture and its function in human behavior and society, recognizing the strengths that exist in all cultures.

(b) Social workers should have a knowledge base of their clients' cultures and be able to demonstrate competence in the provision of services that are sensitive to clients' cultures and to differences among people and cultural groups.

(c) Social workers should obtain education about and seek to understand the nature of social diversity and oppression with respect to race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, and mental or physical disability.

1.06 Conflicts of Interest

(a) Social workers should be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment. Social workers should inform clients when a real or potential conflict of interest arises and take reasonable steps to resolve the issue in a manner that makes the clients' interests primary and protects clients' interests to the greatest extent possible. In some cases, protecting clients' interests may require termination of the professional relationship with proper referral of the client.

(b) Social workers should not take unfair advantage of any professional relationship or exploit others to further their personal, religious, political, or business interests.

(c) Social workers should not engage in dual or multiple relationships with clients or former clients in which there is a risk of exploitation or potential harm to the client. In instances when dual or multiple relationships are unavoidable, social workers should take steps to protect clients and are responsible for setting clear, appropriate, and culturally sensitive boundaries. (Dual or multiple relationships occur when social workers relate to clients in more than one relationship, whether professional, social, or business. Dual or multiple relationships can occur simultaneously or consecutively.)

(d) When social workers provide services to two or more people who have a relationship with each other (for example, couples, family members), social workers should clarify with all parties which individuals will be considered clients and the nature of social workers' professional obligations to the various individuals who are receiving services. Social workers who anticipate a conflict of interest among the individuals receiving services or who anticipate having to perform in potentially conflicting roles (for example, when a social worker is asked to testify in a child custody dispute or divorce proceedings involving clients) should clarify their role with the parties involved and take appropriate action to minimize any conflict of interest.

1.07 Privacy and Confidentiality

(a) Social workers should respect clients' right to privacy. Social workers should not solicit private information from clients unless it is essential to providing services or conducting social work evaluation or research. Once private information is shared, standards of confidentiality apply.

(b) Social workers may disclose confidential information when appropriate with valid consent from a client or a person legally authorized to consent on behalf of a client.

(c) Social workers should protect the confidentiality of all information obtained in the course of professional service, except for compelling professional reasons. The general expectation that social workers will keep information confidential does not apply when disclosure is necessary to prevent serious, foreseeable, and imminent harm to a client or other identifiable person. In all instances, social workers should disclose the least amount of confidential information necessary to achieve the desired purpose; only information that is directly relevant to the purpose for which the disclosure is made should be revealed.

- (d) Social workers should inform clients, to the extent possible, about the disclosure of confidential information and the potential consequences, when feasible before the disclosure is made. This applies whether social workers disclose confidential information on the basis of a legal requirement or client consent.
- (e) Social workers should discuss with clients and other interested parties the nature of confidentiality and limitations of clients' right to confidentiality. Social workers should review with clients circumstances where confidential information may be requested and where disclosure of confidential information may be legally required. This discussion should occur as soon as possible in the social worker/client relationship and as needed throughout the course of the relationship.
- (f) When social workers provide counseling services to families, couples, or groups, social workers should seek agreement among the parties involved concerning each individual's right to confidentiality and obligation to preserve the confidentiality of information shared by others. Social workers should inform participants in family, couples, or group counseling that social workers cannot guarantee that all participants will honor such agreements.
- (g) Social workers should inform clients involved in family, couples, marital, or group counseling of the social worker's, employer's, and agency's policy concerning the social worker's disclosure of confidential information among the parties involved in the counseling.
- (h) Social workers should not disclose confidential information to thirdparty payers unless clients have authorized such disclosure.
- (i) Social workers should not discuss confidential information in any setting unless privacy can be ensured. Social workers should not discuss confidential information in public or semipublic areas such as hallways, waiting rooms, elevators, and restaurants.
- (j) Social workers should protect the confidentiality of clients during legal proceedings to the extent permitted by law. When a court of law or other legally authorized body orders social workers to disclose confidential or privileged information without a client's consent and such disclosure could cause harm to the client, social workers should request that the court withdraw the order or limit the order as narrowly as possible or maintain the records under seal, unavailable for public inspection.
- (k) Social workers should protect the confidentiality of clients when responding to requests from members of the media.
- (l) Social workers should protect the confidentiality of clients' written and electronic records and other sensitive information. Social workers should take reasonable steps to ensure that clients' records are stored in a secure location and that clients' records are not available to others who are not authorized to have access.
- (m) Social workers should take precautions to ensure and maintain the confidentiality of information transmitted to other parties through the use of computers, electronic mail, facsimile

machines, telephones and telephone answering machines, and other electronic or computer technology. Disclosure of identifying information should be avoided whenever possible.

(n) Social workers should transfer or dispose of clients' records in a manner that protects clients' confidentiality and is consistent with state statutes governing records and social work licensure.

(o) Social workers should take reasonable precautions to protect client confidentiality in the event of the social worker's termination of practice, incapacitation, or death.

(p) Social workers should not disclose identifying information when discussing clients for teaching or training purposes unless the client has consented to disclosure of confidential information.

(q) Social workers should not disclose identifying information when discussing clients with consultants unless the client has consented to disclosure of confidential information or there is a compelling need for such disclosure.

(r) Social workers should protect the confidentiality of deceased clients consistent with the preceding standards.

1.08 Access to Records

(a) Social workers should provide clients with reasonable access to records concerning the clients. Social workers who are concerned that clients' access to their records could cause serious misunderstanding or harm to the client should provide assistance in interpreting the records and consultation with the client regarding the records. Social workers should limit clients' access to their records, or portions of their records, only in exceptional circumstances when there is compelling evidence that such access would cause serious harm to the client. Both clients' requests and the rationale for withholding some or all of the record should be documented in clients' files.

(b) When providing clients with access to their records, social workers should take steps to protect the confidentiality of other individuals identified or discussed in such records.

1.09 Sexual Relationships

(a) Social workers should under no circumstances engage in sexual activities or sexual contact with current clients, whether such contact is consensual or forced.

(b) Social workers should not engage in sexual activities or sexual contact with clients' relatives or other individuals with whom clients maintain a close personal relationship when there is a risk of exploitation or potential harm to the client. Sexual activity or sexual contact with clients' relatives or other individuals with whom clients maintain a personal relationship has the potential to be harmful to the client and may make it difficult for the social worker and client to maintain appropriate professional boundaries. Social workers—not their clients, their clients' relatives, or

other individuals with whom the client maintains a personal relationship—assume the full burden for setting clear, appropriate, and culturally sensitive boundaries.

(c) Social workers should not engage in sexual activities or sexual contact with former clients because of the potential for harm to the client. If social workers engage in conduct contrary to this prohibition or claim that an exception to this prohibition is warranted because of extraordinary circumstances, it is social workers—not their clients—who assume the full burden of demonstrating that the former client has not been exploited, coerced, or manipulated, intentionally or unintentionally.

(d) Social workers should not provide clinical services to individuals with whom they have had a prior sexual relationship. Providing clinical services to a former sexual partner has the potential to be harmful to the individual and is likely to make it difficult for the social worker and individual to maintain appropriate professional boundaries.

1.10 Physical Contact

Social workers should not engage in physical contact with clients when there is a possibility of psychological harm to the client as a result of the contact (such as cradling or caressing clients). Social workers who engage in appropriate physical contact with clients are responsible for setting clear, appropriate, and culturally sensitive boundaries that govern such physical contact.

1.11 Sexual Harassment

Social workers should not sexually harass clients. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

1.12 Derogatory Language

Social workers should not use derogatory language in their written or verbal communications to or about clients. Social workers should use accurate and respectful language in all communications to and about clients.

1.13 Payment for Services

(a) When setting fees, social workers should ensure that the fees are fair, reasonable, and commensurate with the services performed. Consideration should be given to clients' ability to pay.

(b) Social workers should avoid accepting goods or services from clients as payment for professional services. Bartering arrangements, particularly involving services, create the potential for conflicts of interest, exploitation, and inappropriate boundaries in social workers' relationships with clients. Social workers should explore and may participate in bartering only in very limited circumstances when it can be demonstrated that such arrangements are an accepted practice among professionals in the local community, considered to be essential for the provision of services, negotiated without coercion, and entered into at the client's initiative and with the

client's informed consent. Social workers who accept goods or services from clients as payment for professional services assume the full burden of demonstrating that this arrangement will not be detrimental to the client or the professional relationship.

(c) Social workers should not solicit a private fee or other remuneration for providing services to clients who are entitled to such available services through the social workers' employer or agency.

1.14 Clients Who Lack DecisionMaking Capacity

When social workers act on behalf of clients who lack the capacity to make informed decisions, social workers should take reasonable steps to safeguard the interests and rights of those clients.

1.15 Interruption of Services

Social workers should make reasonable efforts to ensure continuity of services in the event that services are interrupted by factors such as unavailability, relocation, illness, disability, or death.

1.16 Termination of Services

(a) Social workers should terminate services to clients and professional relationships with them when such services and relationships are no longer required or no longer serve the clients' needs or interests.

(b) Social workers should take reasonable steps to avoid abandoning clients who are still in need of services. Social workers should withdraw services precipitously only under unusual circumstances, giving careful consideration to all factors in the situation and taking care to minimize possible adverse effects. Social workers should assist in making appropriate arrangements for continuation of services when necessary.

(c) Social workers in fee-for-service settings may terminate services to clients who are not paying an overdue balance if the financial contractual arrangements have been made clear to the client, if the client does not pose an imminent danger to self or others, and if the clinical and other consequences of the current nonpayment have been addressed and discussed with the client.

(d) Social workers should not terminate services to pursue a social, financial, or sexual relationship with a client.

(e) Social workers who anticipate the termination or interruption of services to clients should notify clients promptly and seek the transfer, referral, or continuation of services in relation to the clients' needs and preferences.

(f) Social workers who are leaving an employment setting should inform clients of appropriate options for the continuation of services and of the benefits and risks of the options.

2. SOCIAL WORKERS' ETHICAL RESPONSIBILITIES TO COLLEAGUES

2.01 Respect

- (a) Social workers should treat colleagues with respect and should represent accurately and fairly the qualifications, views, and obligations of colleagues.
- (b) Social workers should avoid unwarranted negative criticism of colleagues in communications with clients or with other professionals. Unwarranted negative criticism may include demeaning comments that refer to colleagues' level of competence or to individuals' attributes such as race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, and mental or physical disability.
- (c) Social workers should cooperate with social work colleagues and with colleagues of other professions when such cooperation serves the wellbeing of clients.

2.02 Confidentiality

Social workers should respect confidential information shared by colleagues in the course of their professional relationships and transactions. Social workers should ensure that such colleagues understand social workers' obligation to respect confidentiality and any exceptions related to it.

2.03 Interdisciplinary Collaboration

- (a) Social workers who are members of an interdisciplinary team should participate in and contribute to decisions that affect the wellbeing of clients by drawing on the perspectives, values, and experiences of the social work profession. Professional and ethical obligations of the interdisciplinary team as a whole and of its individual members should be clearly established.
- (b) Social workers for whom a team decision raises ethical concerns should attempt to resolve the disagreement through appropriate channels. If the disagreement cannot be resolved, social workers should pursue other avenues to address their concerns consistent with client wellbeing.

2.04 Disputes Involving Colleagues

- (a) Social workers should not take advantage of a dispute between a colleague and an employer to obtain a position or otherwise advance the social workers' own interests.
- (b) Social workers should not exploit clients in disputes with colleagues or engage clients in any inappropriate discussion of conflicts between social workers and their colleagues.

2.05 Consultation

- (a) Social workers should seek the advice and counsel of colleagues whenever such consultation is in the best interests of clients.
- (b) Social workers should keep themselves informed about colleagues' areas of expertise and competencies. Social workers should seek consultation only from colleagues who have demonstrated knowledge, expertise, and competence related to the subject of the consultation.

(c) When consulting with colleagues about clients, social workers should disclose the least amount of information necessary to achieve the purposes of the consultation.

2.06 Referral for Services

(a) Social workers should refer clients to other professionals when the other professionals' specialized knowledge or expertise is needed to serve clients fully or when social workers believe that they are not being effective or making reasonable progress with clients and that additional service is required.

(b) Social workers who refer clients to other professionals should take appropriate steps to facilitate an orderly transfer of responsibility. Social workers who refer clients to other professionals should disclose, with clients' consent, all pertinent information to the new service providers.

(c) Social workers are prohibited from giving or receiving payment for a referral when no professional service is provided by the referring social worker.

2.07 Sexual Relationships

(a) Social workers who function as supervisors or educators should not engage in sexual activities or contact with supervisees, students, trainees, or other colleagues over whom they exercise professional authority.

(b) Social workers should avoid engaging in sexual relationships with colleagues when there is potential for a conflict of interest. Social workers who become involved in, or anticipate becoming involved in, a sexual relationship with a colleague have a duty to transfer professional responsibilities, when necessary, to avoid a conflict of interest.

2.08 Sexual Harassment

Social workers should not sexually harass supervisees, students, trainees, or colleagues. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

2.09 Impairment of Colleagues

(a) Social workers who have direct knowledge of a social work colleague's impairment that is due to personal problems, psychosocial distress, substance abuse, or mental health difficulties and that interferes with practice effectiveness should consult with that colleague when feasible and assist the colleague in taking remedial action.

(b) Social workers who believe that a social work colleague's impairment interferes with practice effectiveness and that the colleague has not taken adequate steps to address the impairment should take action through appropriate channels established by employers, agencies, NASW, licensing and regulatory bodies, and other professional organizations.

2.10 Incompetence of Colleagues

(a) Social workers who have direct knowledge of a social work colleague's incompetence should consult with that colleague when feasible and assist the colleague in taking remedial action.

(b) Social workers who believe that a social work colleague is incompetent and has not taken adequate steps to address the incompetence should take action through appropriate channels established by employers, agencies, NASW, licensing and regulatory bodies, and other professional organizations.

2.11 Unethical Conduct of Colleagues

(a) Social workers should take adequate measures to discourage, prevent, expose, and correct the unethical conduct of colleagues.

(b) Social workers should be knowledgeable about established policies and procedures for handling concerns about colleagues' unethical behavior. Social workers should be familiar with national, state, and local procedures for handling ethics complaints. These include policies and procedures created by NASW, licensing and regulatory bodies, employers, agencies, and other professional organizations.

(c) Social workers who believe that a colleague has acted unethically should seek resolution by discussing their concerns with the colleague when feasible and when such discussion is likely to be productive.

(d) When necessary, social workers who believe that a colleague has acted unethically should take action through appropriate formal channels (such as contacting a state licensing board or regulatory body, an NASW committee on inquiry, or other professional ethics committees).

(e) Social workers should defend and assist colleagues who are unjustly charged with unethical conduct.

3. SOCIAL WORKERS' ETHICAL RESPONSIBILITIES IN PRACTICE SETTINGS

3.01 Supervision and Consultation

(a) Social workers who provide supervision or consultation should have the necessary knowledge and skill to supervise or consult appropriately and should do so only within their areas of knowledge and competence.

(b) Social workers who provide supervision or consultation are responsible for setting clear, appropriate, and culturally sensitive boundaries.

(c) Social workers should not engage in any dual or multiple relationships with supervisees in which there is a risk of exploitation of or potential harm to the supervisee.

(d) Social workers who provide supervision should evaluate supervisees' performance in a manner that is fair and respectful.

3.02 Education and Training

(a) Social workers who function as educators, field instructors for students, or trainers should provide instruction only within their areas of knowledge and competence and should provide instruction based on the most current information and knowledge available in the profession.

(b) Social workers who function as educators or field instructors for students should evaluate students' performance in a manner that is fair and respectful.

(c) Social workers who function as educators or field instructors for students should take reasonable steps to ensure that clients are routinely informed when services are being provided by students.

(d) Social workers who function as educators or field instructors for students should not engage in any dual or multiple relationships with students in which there is a risk of exploitation or potential harm to the student. Social work educators and field instructors are responsible for setting clear, appropriate, and culturally sensitive boundaries.

3.03 Performance Evaluation

Social workers who have responsibility for evaluating the performance of others should fulfill such responsibility in a fair and considerate manner and on the basis of clearly stated criteria.

3.04 Client Records

(a) Social workers should take reasonable steps to ensure that documentation in records is accurate and reflects the services provided.

(b) Social workers should include sufficient and timely documentation in records to facilitate the delivery of services and to ensure continuity of services provided to clients in the future.

(c) Social workers' documentation should protect clients' privacy to the extent that is possible and appropriate and should include only information that is directly relevant to the delivery of services.

(d) Social workers should store records following the termination of services to ensure reasonable future access. Records should be maintained for the number of years required by state statutes or relevant contracts.

3.05 Billing

Social workers should establish and maintain billing practices that accurately reflect the nature and extent of services provided and that identify who provided the service in the practice setting.

3.06 Client Transfer

- (a) When an individual who is receiving services from another agency or colleague contacts a social worker for services, the social worker should carefully consider the client's needs before agreeing to provide services. To minimize possible confusion and conflict, social workers should discuss with potential clients the nature of the clients' current relationship with other service providers and the implications, including possible benefits or risks, of entering into a relationship with a new service provider.
- (b) If a new client has been served by another agency or colleague, social workers should discuss with the client whether consultation with the previous service provider is in the client's best interest.

3.07 Administration

- (a) Social work administrators should advocate within and outside their agencies for adequate resources to meet clients' needs.
- (b) Social workers should advocate for resource allocation procedures that are open and fair. When not all clients' needs can be met, an allocation procedure should be developed that is nondiscriminatory and based on appropriate and consistently applied principles.
- (c) Social workers who are administrators should take reasonable steps to ensure that adequate agency or organizational resources are available to provide appropriate staff supervision.
- (d) Social work administrators should take reasonable steps to ensure that the working environment for which they are responsible is consistent with and encourages compliance with the *NASW Code of Ethics*. Social work administrators should take reasonable steps to eliminate any conditions in their organizations that violate, interfere with, or discourage compliance with the *Code*.

3.08 Continuing Education and Staff Development

Social work administrators and supervisors should take reasonable steps to provide or arrange for continuing education and staff development for all staff for whom they are responsible. Continuing education and staff development should address current knowledge and emerging developments related to social work practice and ethics.

3.09 Commitments to Employers

- (a) Social workers generally should adhere to commitments made to employers and employing organizations.
- (b) Social workers should work to improve employing agencies' policies and procedures and the efficiency and effectiveness of their services.

(c) Social workers should take reasonable steps to ensure that employers are aware of social workers' ethical obligations as set forth in the *NASW Code of Ethics* and of the implications of those obligations for social work practice.

(d) Social workers should not allow an employing organization's policies, procedures, regulations, or administrative orders to interfere with their ethical practice of social work. Social workers should take reasonable steps to ensure that their employing organizations' practices are consistent with the *NASW Code of Ethics*.

(e) Social workers should act to prevent and eliminate discrimination in the employing organization's work assignments and in its employment policies and practices.

(f) Social workers should accept employment or arrange student field placements only in organizations that exercise fair personnel practices.

(g) Social workers should be diligent stewards of the resources of their employing organizations, wisely conserving funds where appropriate and never misappropriating funds or using them for unintended purposes.

3.10 Labor Management Disputes

(a) Social workers may engage in organized action, including the formation of and participation in labor unions, to improve services to clients and working conditions.

(b) The actions of social workers who are involved in labor management disputes, job actions, or labor strikes should be guided by the profession's values, ethical principles, and ethical standards. Reasonable differences of opinion exist among social workers concerning their primary obligation as professionals during an actual or threatened labor strike or job action. Social workers should carefully examine relevant issues and their possible impact on clients before deciding on a course of action.

4. SOCIAL WORKERS' ETHICAL RESPONSIBILITIES AS PROFESSIONALS

4.01 Competence

(a) Social workers should accept responsibility or employment only on the basis of existing competence or the intention to acquire the necessary competence.

(b) Social workers should strive to become and remain proficient in professional practice and the performance of professional functions. Social workers should critically examine and keep current with emerging knowledge relevant to social work. Social workers should routinely review the professional literature and participate in continuing education relevant to social work practice and social work ethics.

(c) Social workers should base practice on recognized knowledge, including empirically based knowledge, relevant to social work and social work ethics.

4.02 Discrimination

Social workers should not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical disability.

4.03 Private Conduct

Social workers should not permit their private conduct to interfere with their ability to fulfill their professional responsibilities.

4.04 Dishonesty, Fraud, and Deception

Social workers should not participate in, condone, or be associated with dishonesty, fraud, or deception.

4.05 Impairment

(a) Social workers should not allow their own personal problems, psychosocial distress, legal problems, substance abuse, or mental health difficulties to interfere with their professional judgment and performance or to jeopardize the best interests of people for whom they have a professional responsibility.

(b) Social workers whose personal problems, psychosocial distress, legal problems, substance abuse, or mental health difficulties interfere with their professional judgment and performance should immediately seek consultation and take appropriate remedial action by seeking professional help, making adjustments in workload, terminating practice, or taking any other steps necessary to protect clients and others.

4.06 Misrepresentation

(a) Social workers should make clear distinctions between statements made and actions engaged in as a private individual and as a representative of the social work profession, a professional social work organization, or the social worker's employing agency.

(b) Social workers who speak on behalf of professional social work organizations should accurately represent the official and authorized positions of the organizations.

(c) Social workers should ensure that their representations to clients, agencies, and the public of professional qualifications, credentials, education, competence, affiliations, services provided, or results to be achieved are accurate. Social workers should claim only those relevant professional credentials they actually possess and take steps to correct any inaccuracies or misrepresentations of their credentials by others.

4.07 Solicitations

(a) Social workers should not engage in uninvited solicitation of potential clients who, because of their circumstances, are vulnerable to undue influence, manipulation, or coercion.

(b) Social workers should not engage in solicitation of testimonial endorsements (including solicitation of consent to use a client's prior statement as a testimonial endorsement) from current clients or from other people who, because of their particular circumstances, are vulnerable to undue influence.

4.08 Acknowledging Credit

(a) Social workers should take responsibility and credit, including authorship credit, only for work they have actually performed and to which they have contributed.

(b) Social workers should honestly acknowledge the work of and the contributions made by others.

5. SOCIAL WORKERS' ETHICAL RESPONSIBILITIES TO THE SOCIAL WORK PROFESSION

5.01 Integrity of the Profession

(a) Social workers should work toward the maintenance and promotion of high standards of practice.

(b) Social workers should uphold and advance the values, ethics, knowledge, and mission of the profession. Social workers should protect, enhance, and improve the integrity of the profession through appropriate study and research, active discussion, and responsible criticism of the profession.

(c) Social workers should contribute time and professional expertise to activities that promote respect for the value, integrity, and competence of the social work profession. These activities may include teaching, research, consultation, service, legislative testimony, presentations in the community, and participation in their professional organizations.

(d) Social workers should contribute to the knowledge base of social work and share with colleagues their knowledge related to practice, research, and ethics. Social workers should seek to contribute to the profession's literature and to share their knowledge at professional meetings and conferences.

(e) Social workers should act to prevent the unauthorized and unqualified practice of social work.

5.02 Evaluation and Research

(a) Social workers should monitor and evaluate policies, the implementation of programs, and practice interventions.

- (b) Social workers should promote and facilitate evaluation and research to contribute to the development of knowledge.
- (c) Social workers should critically examine and keep current with emerging knowledge relevant to social work and fully use evaluation and research evidence in their professional practice.
- (d) Social workers engaged in evaluation or research should carefully consider possible consequences and should follow guidelines developed for the protection of evaluation and research participants. Appropriate institutional review boards should be consulted.
- (e) Social workers engaged in evaluation or research should obtain voluntary and written informed consent from participants, when appropriate, without any implied or actual deprivation or penalty for refusal to participate; without undue inducement to participate; and with due regard for participants' wellbeing, privacy, and dignity. Informed consent should include information about the nature, extent, and duration of the participation requested and disclosure of the risks and benefits of participation in the research.
- (f) When evaluation or research participants are incapable of giving informed consent, social workers should provide an appropriate explanation to the participants, obtain the participants' assent to the extent they are able, and obtain written consent from an appropriate proxy.
- (g) Social workers should never design or conduct evaluation or research that does not use consent procedures, such as certain forms of naturalistic observation and archival research, unless rigorous and responsible review of the research has found it to be justified because of its prospective scientific, educational, or applied value and unless equally effective alternative procedures that do not involve waiver of consent are not feasible.
- (h) Social workers should inform participants of their right to withdraw from evaluation and research at any time without penalty.
- (i) Social workers should take appropriate steps to ensure that participants in evaluation and research have access to appropriate supportive services.
- (j) Social workers engaged in evaluation or research should protect participants from unwarranted physical or mental distress, harm, danger, or deprivation.
- (k) Social workers engaged in the evaluation of services should discuss collected information only for professional purposes and only with people professionally concerned with this information.
- (l) Social workers engaged in evaluation or research should ensure the anonymity or confidentiality of participants and of the data obtained from them. Social workers should inform participants of any limits of confidentiality, the measures that will be taken to ensure confidentiality, and when any records containing research data will be destroyed.

(m) Social workers who report evaluation and research results should protect participants' confidentiality by omitting identifying information unless proper consent has been obtained authorizing disclosure.

(n) Social workers should report evaluation and research findings accurately. They should not fabricate or falsify results and should take steps to correct any errors later found in published data using standard publication methods.

(o) Social workers engaged in evaluation or research should be alert to and avoid conflicts of interest and dual relationships with participants, should inform participants when a real or potential conflict of interest arises, and should take steps to resolve the issue in a manner that makes participants' interests primary.

(p) Social workers should educate themselves, their students, and their colleagues about responsible research practices.

6. SOCIAL WORKERS' ETHICAL RESPONSIBILITIES TO THE BROADER SOCIETY

6.01 Social Welfare

Social workers should promote the general welfare of society, from local to global levels, and the development of people, their communities, and their environments. Social workers should advocate for living conditions conducive to the fulfillment of basic human needs and should promote social, economic, political, and cultural values and institutions that are compatible with the realization of social justice.

6.02 Public Participation

Social workers should facilitate informed participation by the public in shaping social policies and institutions.

6.03 Public Emergencies

Social workers should provide appropriate professional services in public emergencies to the greatest extent possible.

6.04 Social and Political Action

(a) Social workers should engage in social and political action that seeks to ensure that all people have equal access to the resources, employment, services, and opportunities they require to meet their basic human needs and to develop fully. Social workers should be aware of the impact of the political arena on practice and should advocate for changes in policy and legislation to improve social conditions in order to meet basic human needs and promote social justice.

(b) Social workers should act to expand choice and opportunity for all people, with special regard for vulnerable, disadvantaged, oppressed, and exploited people and groups.

(c) Social workers should promote conditions that encourage respect for cultural and social diversity within the United States and globally. Social workers should promote policies and practices that demonstrate respect for difference, support the expansion of cultural knowledge and resources, advocate for programs and institutions that demonstrate cultural competence, and promote policies that safeguard the rights of and confirm equity and social justice for all people.

(d) Social workers should act to prevent and eliminate domination of, exploitation of, and discrimination against any person, group, or class on the basis of race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical disability.

Appendix ix

Code of Professional Ethics for National Certified Rehabilitation Counselors

PREAMBLE

Rehabilitation counselors provide services within the Scope of Practice for Rehabilitation Counseling. They demonstrate beliefs, attitudes, knowledge, and skills, to provide competent counseling services and to work collaboratively with diverse groups of individuals, including clients, as well as with programs, institutions, employers, and service delivery systems and provide both direct (e.g., counseling) and indirect (e.g., case review, feasibility evaluation) services. Regardless of the specific tasks, work settings, or technology used, rehabilitation counselors demonstrate adherence to ethical standards and ensure the standards are vigorously enforced.

The Code of Professional Ethics for Rehabilitation Counselors, henceforth referred to as the Code, is designed to provide guidance for the ethical practice of rehabilitation counselors. The primary obligation of rehabilitation counselors is to clients, defined as individuals with or directly affected by a disability, functional limitation(s), or medical condition and who receive services from rehabilitation counselors. In some settings, clients may be referred to by other terms such as, but not limited to, consumers and service recipients. Rehabilitation counseling services may be provided to individuals other than those with disabilities. Rehabilitation counselors do not have clients in a forensic setting. The subjects of the objective and unbiased evaluations are evaluatees. In all instances, the primary obligation remains to clients or evaluatees and adherence to the Code is required.

The basic objectives of the Code are to: (1) promote public welfare by specifying ethical behavior expected of rehabilitation counselors; (2) establish principles that define ethical behavior and best practices of rehabilitation counselors; (3) serve as an ethical guide designed to assist rehabilitation counselors in constructing a professional course of action that best serves those utilizing rehabilitation services; and, (4) serve as the basis for the processing of alleged Code violations by certified rehabilitation counselors.

Rehabilitation counselors are committed to facilitating the personal, social, and economic independence of individuals with disabilities. In fulfilling this commitment, rehabilitation counselors recognize diversity and embrace a cultural approach in support of the worth, dignity, potential, and uniqueness of individuals with disabilities within their social and cultural context. They look to professional values as an important way of living out an ethical commitment. The primary values that serve as a foundation for this Code include a commitment to:

- Respecting human rights and dignity;
- Ensuring the integrity of all professional relationships;
- Acting to alleviate personal distress and suffering;
- Enhancing the quality of professional knowledge and its application to increase professional and personal effectiveness;
- Appreciating the diversity of human experience and culture; and,
- Advocating for the fair and adequate provision of services.

These values inform principles. They represent one important way of expressing a general ethical commitment that becomes more precisely defined and action-oriented when expressed as a principle. The fundamental spirit of caring and respect with which the Code is written is based upon six principles of ethical behavior:

Autonomy: To respect the rights of clients to be self-governing within their social and cultural framework.

Beneficence: To do good to others; to promote the well-being of clients.

Fidelity: To be faithful; to keep promises and honor the trust placed in rehabilitation counselors.

Justice: To be fair in the treatment of all clients; to provide appropriate services to all.

Nonmaleficence: To do no harm to others.

Veracity: To be honest.

Although the Code provides guidance for ethical practice, it is impossible to address every possible ethical dilemma that rehabilitation counselors may face. When faced with ethical dilemmas that are difficult to resolve, rehabilitation counselors are expected to engage in a carefully considered ethical decision-making process. Reasonable differences of opinion can and do exist among rehabilitation counselors with respect to the ways in which values, ethical principles, and ethical standards would be applied when they conflict. While there is no specific ethical decision-making model that is most effective, rehabilitation counselors are expected to be familiar with and apply a credible model of decision-making that can bear public scrutiny.

Rehabilitation counselors are aware that seeking consultation and/or supervision is an important part of ethical decision-making.

The Enforceable Standards within the Code are the exacting standards intended to provide guidance in specific circumstances and serve as the basis for processing complaints initiated against certified rehabilitation counselors.

Each Enforceable Standard is not meant to be interpreted in isolation. Instead, it is important for rehabilitation counselors to interpret standards in conjunction with other related standards in various sections of the Code. A brief glossary is located after Section L to provide readers with a concise description of some of the terms used in the Code.

ENFORCEABLE STANDARDS OF ETHICAL PRACTICE

SECTION A: THE COUNSELING RELATIONSHIP

A.1. WELFARE OF THOSE SERVED BY REHABILITATION COUNSELORS

a. PRIMARY RESPONSIBILITY. The primary responsibility of rehabilitation counselors is to respect the dignity and to promote the welfare of clients. Clients are defined as individuals with, or directly affected by a disability, functional limitation(s), or medical condition and who receive services from rehabilitation counselors. At times, rehabilitation counseling services may be provided to individuals other than those with a disability. In all instances, the primary obligation of rehabilitation counselors is to promote the welfare of their clients.

b. REHABILITATION AND COUNSELING PLANS. Rehabilitation counselors and clients work jointly in devising and revising integrated, individual, and mutually agreed upon rehabilitation and counseling plans that offer a reasonable promise of success and are consistent with the abilities and circumstances of clients. Rehabilitation counselors and clients regularly review rehabilitation and counseling plans to assess continued viability and effectiveness.

c. EMPLOYMENT NEEDS. Rehabilitation counselors work with clients to consider employment consistent with the overall abilities, functional capabilities and limitations, general temperament, interest and aptitude patterns, social skills, education, general qualifications, transferable skills, and other relevant characteristics and needs of clients. Rehabilitation counselors assist in the placement of clients in available positions that are consistent with the interest, culture, and the welfare of clients and/or employers.

d. AUTONOMY. Rehabilitation counselors respect the rights of clients to make decisions on their own behalf. On decisions that may limit or diminish the autonomy of clients, decision-making on behalf of clients is taken only after careful deliberation. Rehabilitation counselors advocate for the resumption of responsibility by clients as quickly as possible.

A.2. RESPECTING DIVERSITY

a. RESPECTING CULTURE. Rehabilitation counselors demonstrate respect for the cultural background of clients in developing and implementing rehabilitation and treatment plans, and providing and adapting interventions.

b. NONDISCRIMINATION. Rehabilitation counselors do not condone or engage in discrimination based on age, color, race, national origin, culture, disability, ethnicity, gender, gender identity, religion/spirituality, sexual orientation, marital status/partnership, language preference, socioeconomic status, or any basis proscribed by law.

A.3. CLIENT RIGHTS IN THE COUNSELING RELATIONSHIP

a. PROFESSIONAL DISCLOSURE STATEMENT. Rehabilitation counselors have an obligation to review with clients orally, in writing, and in a manner that best accommodates any of their limitation, the rights and responsibilities of both rehabilitation counselors and clients. Disclosure at the outset of the counseling relationship should minimally include: (1) the qualifications, credentials, and relevant experience of the rehabilitation counselor; (2) purposes, goals, techniques, limitations, and the nature of potential risks, and benefits of services; (3) frequency and length of services; (4) confidentiality and limitations regarding confidentiality (including how a supervisor and/or treatment team professional is involved); (5) contingencies for continuation of services upon the incapacitation or death of the rehabilitation counselor; (6) fees and billing arrangements; (7) record preservation and release policies; (8) risks associated with electronic communication; and, (9) legal issues affecting services. Rehabilitation counselors recognize that disclosure of these issues may need to be reiterated or expanded upon throughout the counseling relationship, and/or disclosure related to other matters may be required depending on the nature of services provided and matters that arise during the rehabilitation counseling relationship.

b. INFORMED CONSENT. Rehabilitation counselors recognize that clients have the freedom to choose whether to enter into or remain in a rehabilitation counseling relationship. Rehabilitation counselors respect the rights of clients to participate in ongoing rehabilitation counseling planning and to make decisions to refuse any services or modality changes, while also ensuring that clients are advised of the consequences of such refusal. Rehabilitation counselors recognize that clients need information to make an informed decision regarding services and that professional disclosure is required for informed consent to be an ongoing part of the rehabilitation counseling process. Rehabilitation counselors appropriately document discussions of disclosure and informed consent throughout the rehabilitation counseling relationship.

c. DEVELOPMENTAL AND CULTURAL SENSITIVITY. Rehabilitation counselors communicate information in ways that are both developmentally and culturally appropriate. Rehabilitation counselors provide services (e.g., arranging for a qualified interpreter or translator) when necessary to ensure comprehension by clients. In collaboration with clients, rehabilitation counselors consider cultural implications of informed consent procedures and, when possible, rehabilitation counselors adjust their practices accordingly.

d. INABILITY TO GIVE CONSENT. When counseling minors or persons unable to give voluntary consent, rehabilitation counselors seek the assent of clients and include clients in decision-making as appropriate. Rehabilitation counselors recognize the need to balance the ethical rights of clients to make choices, the mental or legal capacity of clients to give consent or assent, and parental, guardian, or familial legal rights and responsibilities to protect clients and make decisions on behalf of clients.

e. SUPPORT NETWORK INVOLVEMENT. Rehabilitation counselors recognize that support by others may be important to clients. Rehabilitation counselors consider enlisting the support, understanding, and involvement of others (e.g., religious/spiritual/community leaders, family members, friends, and guardians) as resources, when appropriate, with consent from clients.

A.4. AVOIDING HARM AND AVOIDING VALUE IMPOSITION

a. AVOIDING HARM. Rehabilitation counselors act to avoid harming clients, trainees, supervisees, and research participants and to minimize or to remedy unavoidable or unanticipated harm.

b. PERSONAL VALUES. Rehabilitation counselors are aware of their values, attitudes, beliefs, and behaviors and avoid imposing values that are inconsistent with rehabilitation counseling goals.

A.5. ROLES AND RELATIONSHIPS WITH CLIENTS

a. PROHIBITION OF SEXUAL OR ROMANTIC RELATIONSHIPS WITH CURRENT CLIENTS. Sexual or romantic rehabilitation counselor–client interactions or relationships with current clients, their romantic partners, or their immediate family members are prohibited.

b. SEXUAL OR ROMANTIC RELATIONSHIPS WITH FORMER CLIENTS. Sexual or romantic rehabilitation counselor–client interactions or relationships with former clients, their romantic partners, or their immediate family members are prohibited for a period of five years following the last professional contact. Even after five years, rehabilitation counselors give careful consideration to the potential for sexual or romantic relationships to cause harm to former clients. In cases of potential exploitation and/or harm, rehabilitation counselors avoid entering such interactions or relationships.

c. PROHIBITION OF SEXUAL OR ROMANTIC RELATIONSHIPS WITH CERTAIN FORMER CLIENTS. If clients have a history of physical, emotional, or sexual abuse or if clients have ever been diagnosed with any form of psychosis or personality disorder, marked cognitive impairment, or if clients are likely to

remain in need of therapy due to the intensity or chronicity of a problem, rehabilitation counselors do not engage in sexual activities or sexual contact with former clients, regardless of the length of time elapsed since termination of the client relationship.

d. NONPROFESSIONAL INTERACTIONS OR RELATIONSHIPS OTHER THAN SEXUAL OR ROMANTIC INTERACTIONS OR RELATIONSHIPS. Rehabilitation counselors avoid nonprofessional relationships with clients, former clients, their romantic partners, or their immediate family members, except when such interactions are potentially beneficial to clients or former clients. In cases where nonprofessional interactions may be potentially beneficial to clients or former clients, rehabilitation counselors must document in case records, prior to interactions (when feasible), the rationale for such interactions, the potential benefits, and anticipated consequences for the clients or former clients and other involved parties. Such interactions are initiated with appropriate consent from clients and are time-limited (e.g., extended free-standing friendships are prohibited) or context specific (e.g., constrained to an organizational or community setting). Where unintentional harm occurs to clients or former clients, or to other involved parties, due to nonprofessional interactions, rehabilitation counselors must show evidence of an attempt to remedy such harm. Examples of potentially beneficial interactions include, but are not limited to, attending a formal ceremony (e.g., a wedding/commitment ceremony or graduation); purchasing a service or product provided by clients or former clients (excepting unrestricted bartering); hospital visits to ill family members; or mutual membership in professional associations, organizations, or communities.

e. COUNSELING RELATIONSHIPS WITH FORMER ROMANTIC PARTNERS PROHIBITED.

Rehabilitation counselors do not provide counseling services to individuals with whom they have had a prior sexual or romantic relationship.

f. ROLE CHANGES IN THE PROFESSIONAL RELATIONSHIP. When rehabilitation counselors change roles from the original or most recent contracted relationship, they obtain informed consent from clients or evaluatees and explain the right to refuse services related to the change. Examples of role changes include: (1) changing from individual to group, relationship or family counseling, or vice versa; (2) changing from a forensic to a primary care role, or vice versa; (3) changing from a nonforensic evaluative role to a rehabilitation or therapeutic role, or vice versa; (4) changing from a rehabilitation counselor to a researcher role (e.g., enlisting clients as research participants), or vice versa; and, (5) changing from a rehabilitation counselor to a mediator role, or vice versa. The clients or evaluatees must be fully informed of any anticipated consequences (e.g., financial, legal, personal, or therapeutic) due to a role change by the rehabilitation counselor.

g. RECEIVING GIFTS. Rehabilitation counselors understand the challenges of accepting gifts from clients and recognize that in some cultures, small gifts are a token of respect and gratitude. When determining whether to accept gifts from clients, rehabilitation counselors take into account the cultural or community practice, therapeutic relationship, the monetary value of gifts, the motivation of the client for giving gifts, and the motivation of the rehabilitation counselor for accepting or declining gifts.

A.6. MULTIPLE CLIENTS

When rehabilitation counselors agree to provide counseling services to two or more persons who have a relationship (e.g., husband/wife; parent/child), rehabilitation counselors clarify at the outset which person is, or which persons are, to be served and the nature of the relationship rehabilitation counselors have with each involved person. If it becomes apparent that rehabilitation counselors may be called upon to perform potentially conflicting roles, rehabilitation counselors clarify, adjust, or withdraw from roles appropriately.

A.7. GROUP WORK

a. SCREENING. Rehabilitation counselors screen prospective group counseling/therapy participants. To the extent possible, rehabilitation counselors select members whose needs and goals are compatible with goals of the group, who do not impede the group process, and whose well-being is not jeopardized by the group experience.

b. PROTECTING CLIENTS. In a group setting, rehabilitation counselors take reasonable precautions to protect clients from harm or trauma.

A.8. TERMINATION AND REFERRAL

a. ABANDONMENT PROHIBITED. Rehabilitation counselors do not abandon or neglect clients in counseling. Rehabilitation counselors assist in making appropriate arrangements for the continuation of services when necessary (e.g., during interruptions such as vacations, illness, and following termination).

b. INITIAL DETERMINATION OF INABILITY TO ASSIST CLIENTS. If rehabilitation counselors determine they are unable to be of professional assistance to clients, rehabilitation counselors avoid entering such counseling relationships.

c. APPROPRIATE TERMINATION AND REFERRAL. Rehabilitation counselors terminate counseling relationships when it becomes reasonably apparent that clients no longer need assistance, are not likely to benefit, or are being harmed by continued counseling. Rehabilitation counselors may terminate counseling when in jeopardy of harm by clients or other persons with whom clients have a relationship, or when clients do not pay agreed-upon fees. Rehabilitation counselors provide pretermination counseling and recommend other clinically and culturally appropriate service sources when necessary.

d. APPROPRIATE TRANSFER OF SERVICES. When rehabilitation counselors transfer or refer clients to other practitioners, they ensure that appropriate counseling and administrative processes are completed in a timely manner and that open communication is maintained with both clients and practitioners. Rehabilitation counselors prepare and disseminate, to identified colleagues or records custodian, a plan for the transfer of clients and files in the case of their incapacitation, death, or termination of practice.

A.9. END-OF-LIFE CARE FOR TERMINALLY ILL CLIENTS

a. QUALITY OF CARE. Rehabilitation counselors take measures that enable clients to: (1) obtain high quality end-of-life care for their physical, emotional, social, and spiritual needs; (2) exercise the highest degree of self-determination possible; (3) be given every opportunity possible to engage in informed decision-making regarding their end-of-life care; and, (4) receive complete and adequate assessment regarding their ability to make competent, rational decisions on their own behalf from mental health professionals who are experienced in end-of-life care practice.

b. REHABILITATION COUNSELOR COMPETENCE, CHOICE, AND REFERRAL. Rehabilitation counselors may choose to work or not work with terminally ill clients who wish to explore their end-of-life options. Rehabilitation counselors provide appropriate referral information if they are not competent to address such concerns.

c. CONFIDENTIALITY. Rehabilitation counselors who provide services to terminally ill individuals who are considering hastening their own deaths have the option of breaking or not breaking confidentiality on this matter, depending on applicable laws and the specific circumstances of the situation and after seeking consultation or supervision from appropriate professional and legal parties.

SECTION B: CONFIDENTIALITY, PRIVILEGED COMMUNICATION, AND PRIVACY

B.1. RESPECTING CLIENT RIGHTS

a. CULTURAL DIVERSITY CONSIDERATIONS. Rehabilitation counselors maintain beliefs, attitudes, knowledge, and skills regarding cultural meanings of confidentiality and privacy. Rehabilitation counselors hold ongoing discussions with clients as to how, when, and with whom information is to be shared.

b. RESPECT FOR PRIVACY. Rehabilitation counselors respect privacy rights of clients. Rehabilitation counselors solicit private information from clients only when it is beneficial to the counseling process.

c. RESPECT FOR CONFIDENTIALITY. Rehabilitation counselors do not share confidential information without consent from clients or without sound legal or ethical justification.

d. EXPLANATION OF LIMITATIONS. At initiation and throughout the counseling process, rehabilitation counselors inform clients of the limitations of confidentiality and seek to identify foreseeable situations in which confidentiality must be breached.

B.2. EXCEPTIONS

a. DANGER AND LEGAL REQUIREMENTS. The general requirement that rehabilitation counselors keep information confidential does not apply when disclosure is required to protect clients or identified others from serious and foreseeable harm, or when legal requirements demand that confidential information must be revealed. Rehabilitation counselors consult with other professionals when in doubt as to the validity of an exception.

b. CONTAGIOUS, LIFE-THREATENING DISEASES. When clients disclose that they have a disease commonly known to be both communicable and life-threatening, rehabilitation counselors may be justified in disclosing information to identifiable third parties, if they are known to be at demonstrable and high risk of contracting the disease. Prior to making a disclosure, rehabilitation counselors confirm that there is such a diagnosis and assess the intent of clients to inform the third parties about their disease or to engage in any behaviors that may be harmful to identifiable third parties.

c. COURT-ORDERED DISCLOSURE. When subpoenaed to release confidential or privileged information without permission from clients, rehabilitation counselors obtain written, informed consent from clients or take steps to prohibit the disclosure or have it limited as narrowly as possible due to potential harm to clients or the counseling relationship. Whenever reasonable, rehabilitation counselors obtain a court directive to clarify the nature and extent of the response to a subpoena.

d. MINIMAL DISCLOSURE. When circumstances require the disclosure of confidential information, only essential information is revealed.

B.3. INFORMATION SHARED WITH OTHERS

a. WORK ENVIRONMENT. Rehabilitation counselors make every effort to ensure that privacy and confidentiality of clients is maintained by employees, supervisees, students, clerical assistants, and volunteers.

b. PROFESSIONAL COLLABORATION. If rehabilitation of clients involves the sharing of their information among team members, clients are advised of this fact and are informed of the team's existence and composition. Rehabilitation counselors carefully consider implications for clients in extending confidential information if participating in their service teams.

c. CLIENTS SERVED BY OTHERS. When rehabilitation counselors learn that clients have an ongoing professional relationship with another rehabilitation counselor or treating professional, they request release from clients to inform the other professionals and strive to establish a positive and collaborative professional relationship. File review, second-opinion services, and other indirect services are not considered an ongoing professional relationship.

d. CLIENT ASSISTANTS. When clients are accompanied by an individual providing assistance to clients (e.g., interpreter, personal care assistant), rehabilitation counselors ensure that the assistant is apprised of the need to maintain and document confidentiality. At all times, clients retain the right to decide who can be present as client assistants.

e. CONFIDENTIAL SETTINGS. Rehabilitation counselors discuss confidential information only in offices or settings in which they can reasonably ensure the privacy of clients.

f. THIRD-PARTY PAYERS. Rehabilitation counselors disclose information to third-party payers only when clients have authorized such disclosure, unless otherwise required by law or statute.

g. DECEASED CLIENTS. Rehabilitation counselors protect the confidentiality of deceased clients, consistent with legal requirements and agency policies.

B.4. GROUPS AND FAMILIES

a. GROUP WORK. In group work, rehabilitation counselors clearly explain the importance and parameters of confidentiality for the specific group being entered.

b. COUPLES AND FAMILY COUNSELING. In couples and family counseling, rehabilitation counselors clearly define who the clients are and discuss expectations and limitations of confidentiality. Rehabilitation counselors seek agreement and document in writing such agreement among all involved parties having capacity to give consent concerning each individual's right to confidentiality. Rehabilitation counselors clearly define whether they share or do not share information with family members that is privately, individually communicated to rehabilitation counselors.

B.5. RESPONSIBILITY TO MINORS OR CLIENTS LACKING CAPACITY TO CONSENT

a. RESPONSIBILITY TO CLIENTS. When counseling minor clients or adult clients who lack the capacity to give voluntary, informed consent, rehabilitation counselors protect the confidentiality of information received in the counseling relationship as specified by national or local laws, written policies, and applicable ethical standards.

b. RESPONSIBILITY TO PARENTS AND LEGAL GUARDIANS. Rehabilitation counselors inform parents and legal guardians about the role of rehabilitation counselors and the confidential nature of the counseling relationship. Rehabilitation counselors are sensitive to the cultural diversity of families and respect the inherent rights and responsibilities of parents/guardians over the welfare of their children/charges according to law. Rehabilitation counselors work to establish, as appropriate, collaborative relationships with parents/guardians to best serve clients.

c. RELEASE OF CONFIDENTIAL INFORMATION. When minor clients or adult clients lack the capacity to give voluntary consent to release confidential information, rehabilitation counselors seek permission from parents or legal guardians to disclose information. In such instances, rehabilitation counselors inform clients consistent with their level of understanding and take culturally appropriate measures to safeguard the confidentiality of clients.

B.6. RECORDS

- a. REQUIREMENT OF RECORDS.** Rehabilitation counselors include sufficient and timely documentation in the records of their clients to facilitate the delivery and continuity of needed services. Rehabilitation counselors take reasonable steps to ensure that documentation in records accurately reflects progress and services provided to clients. If errors are made in records, rehabilitation counselors take steps to properly note the correction of such errors according to agency or institutional policies.
- b. CONFIDENTIALITY OF RECORDS.** Rehabilitation counselors ensure that records are kept in a secure location and that only authorized persons have access to records.
- c. CLIENT ACCESS.** Rehabilitation counselors recognize that counseling records are kept for the benefit of clients and therefore provide access to records and copies of records when requested by clients, unless prohibited by law. In instances where the records contain information that may be sensitive, confusing, or detrimental to clients, rehabilitation counselors have a responsibility to educate clients regarding such information. In situations involving multiple clients, access to records is limited to those parts of records that do not include confidential information related to other clients. When rehabilitation counselors are in possession of records from others sources, they refer clients back to the original source.
- d. DISCLOSURE OR TRANSFER.** Unless exceptions to confidentiality exist, rehabilitation counselors obtain written permission from clients to disclose or transfer records to legitimate third parties. Steps are taken to ensure that recipients of counseling records are sensitive to their confidential nature.
- e. STORAGE AND DISPOSAL AFTER TERMINATION.** Rehabilitation counselors store the records of their clients following termination of services to ensure reasonable future access, maintain records in accordance with national or local statutes governing records, and dispose of records and other sensitive materials in a manner that protects the confidentiality of clients.
- f. REASONABLE PRECAUTIONS.** Rehabilitation counselors take reasonable precautions to protect the confidentiality of clients in the event of disaster or termination of practice, incapacity, or death of the rehabilitation counselor.

B.7. CONSULTATION

- a. AGREEMENTS.** When acting as consultants, rehabilitation counselors seek agreement among parties involved concerning each individual's right to confidentiality, the obligation of each individual to preserve confidential information, and the limits of confidentiality of information shared by others.
- b. RESPECT FOR PRIVACY.** Rehabilitation counselors discuss information obtained in consultation only with persons directly involved with the case. Written and oral reports presented by rehabilitation counselors contain only data germane to the purposes of the consultation, and every effort is made to protect the identity of clients and to avoid undue invasion of privacy.
- c. DISCLOSURE OF CONFIDENTIAL INFORMATION.** When consulting with colleagues, rehabilitation counselors do not disclose confidential information that reasonably could lead to the identification of clients or other persons or organizations with whom they have a confidential relationship unless they have obtained the prior consent of the persons or organizations or the disclosure cannot be avoided. They disclose information only to the extent necessary to achieve the purpose of the consultation.

SECTION C: ADVOCACY AND ACCESSIBILITY

C.1. ADVOCACY

- a. ATTITUDINAL BARRIERS.** In direct service with clients, rehabilitation counselors address attitudinal barriers, including stereotyping and discrimination, toward individuals with disabilities. They increase their own awareness and sensitivity to individuals with disabilities.
- b. ADVOCACY.** Rehabilitation counselors provide clients with appropriate information to facilitate their self-advocacy actions whenever possible. They work with clients to help them understand their rights and responsibilities, speak for themselves, make decisions, and contribute to society. When appropriate and with the consent of clients, rehabilitation counselors act as advocates on behalf of clients at the local, regional, and/or national levels.
- c. ADVOCACY IN OWN AGENCY AND WITH COOPERATING AGENCIES.** Rehabilitation counselors remain aware of actions taken by their own and cooperating agencies on behalf of clients and act as advocates for clients who cannot advocate for themselves to ensure effective service delivery.
- d. ADVOCACY AND CONFIDENTIALITY.** Rehabilitation counselors obtain the consent of clients prior to engaging in advocacy efforts on behalf of specific, identifiable clients to improve the provision of services

and to work toward removal of systemic barriers or obstacles that inhibit access, growth, and development of clients.

e. AREAS OF KNOWLEDGE AND COMPETENCY. Rehabilitation counselors are knowledgeable about local, regional, and national systems and laws, and how they affect access to employment, education, transportation, housing, financial benefits, and medical services for people with disabilities. They obtain sufficient training in these systems in order to advocate effectively for clients and/or to facilitate self-advocacy of clients in these areas.

f. KNOWLEDGE OF BENEFIT SYSTEMS. Rehabilitation counselors are aware that disability benefit systems directly affect the quality of life of clients. They provide accurate and timely information or appropriate resources and referrals for these benefits.

C.2. ACCESSIBILITY

a. COUNSELING PRACTICE. Rehabilitation counselors facilitate the provision of necessary accommodations, including physically and programmatically accessible facilities and services to individuals with disabilities.

b. BARRIERS TO ACCESS. Rehabilitation counselors collaborate with clients and/or others to identify barriers based on the functional limitations of clients. They communicate information on barriers to public and private authorities to facilitate removal of barriers to access.

c. REFERRAL ACCESSIBILITY. Prior to referring clients to a program, facility, or employment setting, rehabilitation counselors assist clients in ensuring that these are appropriately accessible, and do not engage in discrimination based on age, color, race, national origin, culture, disability, ethnicity, gender, gender identity, religion/spirituality, sexual orientation, marital status/partnership, language preference, socioeconomic status, or any basis proscribed by law.

SECTION D: PROFESSIONAL RESPONSIBILITY

D.1. PROFESSIONAL COMPETENCE

a. BOUNDARIES OF COMPETENCE. Rehabilitation counselors practice only within the boundaries of their competence, based on their education, training, supervised experience, professional credentials, and appropriate professional experience. Rehabilitation counselors demonstrate beliefs, attitudes, knowledge, and skills pertinent to working with diverse client populations. Rehabilitation counselors do not misrepresent their role or competence to clients.

b. NEW SPECIALTY AREAS OF PRACTICE. Rehabilitation counselors practice in specialty areas new to them only after having obtained appropriate education, training, and supervised experience. While developing skills in new specialty areas, rehabilitation counselors take steps to ensure the competence of their work and to protect clients from possible harm.

c. QUALIFIED FOR EMPLOYMENT. Rehabilitation counselors accept employment for positions for which they are qualified by education, training, supervised experience, professional credentials, and appropriate professional experience. Rehabilitation counselors hire individuals for rehabilitation counseling positions who are qualified and competent for those positions.

d. MONITOR EFFECTIVENESS. Rehabilitation counselors continually monitor their effectiveness as professionals and take steps to improve when necessary. Rehabilitation counselors take reasonable steps to seek peer supervision as needed to evaluate their efficacy as rehabilitation counselors.

e. CONTINUING EDUCATION. Rehabilitation counselors recognize the need for continuing education to acquire and maintain a reasonable level of awareness of current scientific and professional information in their fields of activity. They take steps to maintain competence in the skills they use, are open to new procedures, and keep current with the diverse populations and specific populations with whom they work.

D.2. CULTURAL COMPETENCE/DIVERSITY

a. INTERVENTIONS. Rehabilitation counselors develop and adapt interventions and services to incorporate consideration of cultural perspective of clients and recognition of barriers external to clients that may interfere with achieving effective rehabilitation outcomes.

b. NONDISCRIMINATION. Rehabilitation counselors do not discriminate against clients, students, employees, supervisees, or research participants in a manner that has a negative effect on these persons.

D.3. FUNCTIONAL COMPETENCE

a. IMPAIRMENT. Rehabilitation counselors are alert to the signs of impairment from their own

physical, mental, or emotional problems, and refrain from offering or providing professional services when such impairment is likely to harm clients or others. They seek assistance for problems that reach the level of professional impairment, and, if necessary, they limit, suspend, or terminate their professional responsibilities until such time it is determined that they may safely resume their work. Rehabilitation counselors assist colleagues or supervisors in recognizing their own professional impairment and provide consultation and assistance when warranted with colleagues or supervisors showing signs of impairment and intervene as appropriate to prevent harm to clients.

b. DISASTER PREPARATION AND RESPONSE. Rehabilitation counselors make reasonable efforts to plan for facilitating continued services for clients in the event that rehabilitation counseling services are interrupted by disaster, such as acts of violence, terrorism, or a natural disaster.

D.4. PROFESSIONAL CREDENTIALS

a. ACCURATE REPRESENTATION. Rehabilitation counselors claim or imply only professional qualifications actually completed and correct any known misrepresentations of their qualifications by others. Rehabilitation counselors truthfully represent the qualifications of their professional colleagues. Rehabilitation counselors clearly distinguish between accredited and non-accredited degrees, paid and volunteer work experience, and accurately describe their continuing education and specialized training.

b. CREDENTIALS. Rehabilitation counselors claim only licenses or certifications that are current and in good standing.

c. EDUCATIONAL DEGREES. Rehabilitation counselors clearly differentiate between earned and honorary degrees.

d. IMPLYING DOCTORAL-LEVEL COMPETENCE. Rehabilitation counselors refer to themselves as “doctor” in a counseling context only when their doctorate is in counseling or a closely related field from an accredited university.

D.5. RESPONSIBILITY TO THE PUBLIC AND OTHER PROFESSIONALS

a. SEXUAL HARASSMENT. Rehabilitation counselors do not condone or participate in sexual harassment.

b. REPORTS TO THIRD PARTIES. Rehabilitation counselors are accurate, honest, and objective in reporting their professional activities and judgments to appropriate third parties, including courts, health insurance companies, those who are the recipients of evaluation reports, and others.

c. MEDIA PRESENTATIONS. When rehabilitation counselors provide advice or comment by means of public lectures, demonstrations, radio or television programs, prerecorded tapes, technologybased applications, printed articles, mailed materials, or other media, they take reasonable precautions to ensure that: (1) the statements are based on appropriate professional counseling literature and practice; (2) the statements are otherwise consistent with the Code; and, (3) the recipients of the information are not encouraged to infer that a professional rehabilitation counseling relationship has been established.

d. EXPLOITATION OF OTHERS. Rehabilitation counselors do not exploit others in their professional relationships to seek or receive unjustified personal gains, sexual favors, unfair advantages, or unearned goods or services.

e. CONFLICT OF INTEREST. Rehabilitation counselors recognize that their own personal values, moral beliefs, or personal and professional relationships may interfere with their ability to practice competently. Under such circumstances, rehabilitation counselors are obligated to decline participation or to limit their assistance in a manner consistent with professional obligations.

f. VERACITY. Rehabilitation counselors do not engage in any act or omission of a dishonest, deceitful, or fraudulent nature in the conduct of their professional activities.

g. DISPARAGING REMARKS. Rehabilitation counselors do not disparage individuals or groups of individuals.

h. PERSONAL PUBLIC STATEMENTS. When making personal statements in a public context, rehabilitation counselors clarify that they are speaking from their personal perspective and that they are not speaking on behalf of all rehabilitation counselors, the profession, or any professional organizations with which they may be affiliated.

D.6. SCIENTIFIC BASES FOR INTERVENTIONS

a. TECHNIQUES/PROCEDURES/MODALITIES. Rehabilitation counselors use techniques/procedures/modalities that are grounded in theory and/or have an empirical or scientific foundation. When using techniques/procedures/modalities that are not grounded in theory and/or do not have an empirical or scientific foundation, rehabilitation counselors define the

techniques/procedures/modalities as unproven or developing. They explain the potential risks and ethical considerations of using such techniques/procedures/modalities and take steps to protect clients from possible harm.

b. CREDIBLE RESOURCES. Rehabilitation counselors ensure that the resources used or accessed in counseling are credible and valid (e.g., Internet link, books used in bibliotherapy).

SECTION E: RELATIONSHIPS WITH OTHER PROFESSIONALS

E.1. RELATIONSHIPS WITH COLLEAGUES, EMPLOYERS, AND EMPLOYEES

a. CULTURAL COMPETENCY CONSIDERATIONS. Rehabilitation counselors maintain beliefs, attitudes, knowledge, and skills regarding their interactions with people across cultures.

Rehabilitation counselors are respectful of approaches to counseling services that differ from their own and of traditions and practices of other professional groups with which they work.

b. QUESTIONABLE CONDITIONS. Rehabilitation counselors alert their employers to conditions or inappropriate policies or practices that may be potentially disruptive or damaging to the professional responsibilities of rehabilitation counselors or that may limit their effectiveness. In those instances where rehabilitation counselors are critical of policies, they attempt to affect changes in such policies or procedures through constructive action within the organization. Such action may include referral to appropriate certification, accreditation, or licensure organizations, or voluntary termination of employment.

c. EMPLOYER POLICIES. The acceptance of employment in an agency or institution implies that rehabilitation counselors are in agreement with its general policies and principles. Rehabilitation counselors strive to reach agreement with employers as to acceptable standards of conduct that allow for changes in employer policies conducive to the growth and development of clients.

d. PROTECTION FROM PUNITIVE ACTION. Rehabilitation counselors take care not to harass or dismiss employees who have acted in a responsible and ethical manner to expose inappropriate employer policies or practices.

e. PERSONNEL SELECTION AND ASSIGNMENT. Rehabilitation counselors select competent staff and assign responsibilities compatible with their skills and experiences.

f. DISCRIMINATION. Rehabilitation counselors, as either employers or employees, engage in fair practices with regard to hiring, promoting, and training.

E.2. CONSULTATION

a. CONSULTATION AS AN OPTION. Rehabilitation counselors may choose to consult with professionally competent persons about their clients. In choosing consultants, rehabilitation counselors avoid placing consultants in a conflict of interest situation that precludes the consultant from being a proper party to the efforts of rehabilitation counselors to help clients. If rehabilitation counselors are engaged in a work setting that compromises this consultation standard, they consult with other professionals whenever possible to consider justifiable alternatives.

b. CONSULTANT COMPETENCY. Rehabilitation counselors take reasonable steps to ensure that they have the appropriate resources and competencies when providing consultation services. Rehabilitation counselors provide appropriate referral resources when requested or needed.

c. INFORMED CONSENT IN CONSULTATION. When providing consultation, rehabilitation counselors have an obligation to review, in writing and verbally, the rights and responsibilities of both rehabilitation counselors and consultees. Rehabilitation counselors use clear and understandable language to inform all parties involved about the purpose of the services to be provided, relevant costs, potential risks and benefits, and the limits of confidentiality. Working in conjunction with the consultees, rehabilitation counselors attempt to develop a clear definition of the problem, goals for change, and predicted consequences of interventions that are culturally responsive and appropriate to the needs of consultees.

E.3. AGENCY AND TEAM RELATIONSHIPS

a. CLIENTS AS TEAM MEMBER. Rehabilitation counselors ensure that clients and/or their legally recognized representatives are afforded the opportunity for full participation in decisions related to the services they receive. Only those with a need to know are allowed access to the information of clients, and only then upon a properly executed release of information request or upon receipt of a court order.

b. INTERDISCIPLINARY TEAMWORK. Rehabilitation counselors who are members of interdisciplinary teams delivering multifaceted services to clients must keep the focus on how to serve clients best. They participate in and contribute to decisions that affect the well-being of clients by drawing on the perspectives, values, and experiences of the counseling profession and those of colleagues from other disciplines.

c. COMMUNICATION. Rehabilitation counselors ensure that there is fair and mutual understanding of rehabilitation plans by all parties cooperating in the rehabilitation of clients.

d. ESTABLISHING PROFESSIONAL AND ETHICAL OBLIGATIONS. Rehabilitation counselors who are members of interdisciplinary teams clarify professional and ethical obligations of the team as a whole and of its individual members. Rehabilitation counselors implement team decisions in rehabilitation plans and procedures, even when not personally agreeing with such decisions, unless these decisions breach the Code. When team decisions raise ethical concerns, rehabilitation counselors first attempt to resolve the concerns within the team. If they cannot reach resolution among team members, rehabilitation counselors consider other approaches to address their concerns consistent with the well-being of clients.

e. REPORTS. Rehabilitation counselors secure from other specialists appropriate reports and evaluations when such reports are essential for rehabilitation planning and/or service delivery.

SECTION F: FORENSIC AND INDIRECT SERVICES

F.1. CLIENT OR EVALUEE RIGHTS

a. PRIMARY OBLIGATIONS. Rehabilitation counselors produce unbiased, objective opinions and findings that can be substantiated by information and methodologies appropriate to the evaluation, which may include examination of individuals, research, and/or review of records. Rehabilitation counselors form opinions based on their professional knowledge and expertise that can be supported by the data gathered in evaluations. Rehabilitation counselors define the limits of their opinions or testimony, especially when an examination of individuals has not been conducted. Rehabilitation counselors acting as expert witnesses generate written documentation, either in the form of case notes or a report, as to their involvement and/or conclusions.

b. INFORMED CONSENT. Individuals being evaluated are informed in writing that the relationship is for the purpose of an evaluation and that a report of findings may be produced. Written consent for evaluations are obtained from those being evaluated or the individuals' legal representatives/guardians unless: (1) there is a clinical or cultural reason that this is not possible; (2) a court or legal jurisdiction orders evaluations to be conducted without the written consent of individuals being evaluated; and/or (3) deceased evaluatees are the subject of evaluations. If written consent is not obtained, rehabilitation counselors document verbal consent and the reasons why obtaining written consent was not possible. When minors or vulnerable adults are evaluated, informed consent is obtained from parents or guardians.

c. DUAL ROLES. Rehabilitation counselors do not evaluate current or former clients for forensic purposes except under the conditions noted in A.5.f. or government statute. Likewise, rehabilitation counselors do not provide direct services to evaluatees whom they have previously provided forensic services in the past except under the conditions noted in A.5.f. or government statute. In a forensic setting, rehabilitation counselors who are engaged as expert witnesses have no clients. The persons who are the subject of objective and unbiased evaluations are considered to be evaluatees.

d. INDIRECT SERVICE PROVISION. Rehabilitation counselors who are employed by third parties as case consultants or expert witnesses, and who engage in communication with clients or evaluatees, fully disclose to individuals (and/or their designees) the role of the rehabilitation counselor and limits of the relationship. Communication includes all forms of written or oral interactions. When there is no intent to provide rehabilitation counseling services directly to clients or evaluatees and when there is no in-person meeting or other communication, disclosure by rehabilitation counselors is not required.

e. CONFIDENTIALITY. When rehabilitation counselors are required by law, employers' policies, or extraordinary circumstances to serve in more than one role in judicial or administrative proceedings, they clarify role expectations and the parameters of confidentiality with their colleagues and with evaluatees.

F.2. REHABILITATION COUNSELOR FORENSIC COMPETENCY AND CONDUCT

a. OBJECTIVITY. Rehabilitation counselors are aware of the standards governing their roles in performing forensic activities. Rehabilitation counselors are aware of the occasionally competing demands placed upon them by these standards and the requirements of the legal system, and attempt to resolve these conflicts by making known their commitment to this Code and taking steps to resolve conflicts in a responsible manner.

b. QUALIFICATION TO PROVIDE EXPERT TESTIMONY. Rehabilitation counselors have an obligation to present to the court, regarding specific matters to which they testify, the boundaries of their competence, the factual bases (knowledge, skill, experience, training, and education) for their

qualifications as an expert, and the relevance of those factual bases to their qualifications as an expert on the specific matters at issue.

C. AVOID POTENTIALLY HARMFUL RELATIONSHIPS. Rehabilitation counselors who provide forensic evaluations avoid potentially harmful professional or personal relationships with individuals being evaluated, family members, romantic partners, and close friends of individuals they are evaluating. There may be circumstances however where not entering into professional or personal relationships is potentially more detrimental than providing services. When such is the case, rehabilitation counselors perform and document a risk assessment via use of an ethical decisionmaking model in order to arrive at an informed decision.

d. CONFLICT OF INTEREST. Rehabilitation counselors recognize that their own personal values, moral beliefs, or personal and professional relationships with parties to a legal proceeding may interfere with their ability to practice competently. Under such circumstances, rehabilitation counselors are obligated to decline participation or to limit their assistance in a manner consistent with professional obligations.

e. VALIDITY OF RESOURCES CONSULTED. Rehabilitation counselors ensure that the resources used or accessed in supporting opinions are credible and valid.

f. FOUNDATION OF KNOWLEDGE. Because of their special status as persons qualified as experts to the court, rehabilitation counselors have an obligation to maintain current knowledge of scientific, professional, and legal developments within their area of claimed competence. They are obligated also to use that knowledge, consistent with accepted clinical and scientific standards, in selected data collection methods and procedures for evaluation, treatment, consultation, or scholarly/empirical investigations.

g. DUTY TO CONFIRM INFORMATION. Where circumstances reasonably permit, rehabilitation counselors seek to obtain independent and personal verification of data relied upon as part of their professional services to the court or to parties to the legal proceedings.

h. CRITIQUE OF OPPOSING WORK PRODUCT. When evaluating or commenting upon the professional work products or qualifications of other experts or parties to legal proceedings, rehabilitation counselors represent their professional disagreements with reference to a fair and accurate evaluation of the data, theories, standards, and opinions of other experts or parties.

F.3. FORENSIC PRACTICES

a. CASE ACCEPTANCE AND INDEPENDENT OPINION. While all rehabilitation counselors have the discretionary right to accept retention in any case or proceed within their area(s) of expertise, they decline involvement in any case when asked to take or support predetermined positions, assume invalid representation of facts, alter their methodology or process without foundation or compelling reasons, or where there are ethical concerns about the nature of the requested assignments.

b. TERMINATION AND ASSIGNMENT TRANSFER. If necessary to withdraw from a case after having been retained, rehabilitation counselors make reasonable efforts to assist evaluatees and/or referral sources in locating another rehabilitation counselor to take over the assignment.

F.4. FORENSIC BUSINESS PRACTICES

a. PAYMENTS AND OUTCOME. Rehabilitation counselors do not enter into financial commitments that may compromise the quality of their services or otherwise raise questions as to their credibility. Rehabilitation counselors neither give nor receive commissions, rebates, contingency or referral fees, gifts, or any other form of remuneration when accepting cases or referring evaluatees for professional services. While liens should be avoided, they are sometimes standard practice in particular trial settings. Payment is never contingent on outcome or awards.

b. FEE DISPUTES. Should fee disputes arise during the course of evaluating cases and prior to trial, rehabilitation counselors have the ability to discontinue their involvement in cases as long as no harm comes to evaluatees.

SECTION G: EVALUATION, ASSESSMENT, AND INTERPRETATION

G.1. INFORMED CONSENT

a. EXPLANATION TO CLIENTS. Prior to assessment, rehabilitation counselors explain the nature and purposes of assessment and the specific use of results by potential recipients. The explanation is given in the language and/or developmental level of clients (or other legally authorized persons on behalf of clients), unless an explicit exception has been agreed upon in advance. Rehabilitation counselors consider personal or cultural context of clients, the level of their understanding of the results, and the impact of the results on clients. Regardless of whether scoring and interpretation are completed by

rehabilitation counselors, by assistants, or by computer or other outside services, rehabilitation counselors take reasonable steps to ensure that appropriate explanations are given to clients.

b. RECIPIENTS OF RESULTS. Rehabilitation counselors consider the welfare of clients, explicit understandings, and prior agreements in determining who receives the assessment results.

Rehabilitation counselors include accurate and appropriate interpretations with any release of individual or group assessment results. Issues of cultural diversity, when present, are taken into consideration when providing interpretations and releasing information.

G.2. RELEASE OF INFORMATION TO COMPETENT PROFESSIONALS

a. MISUSE OF RESULTS. Rehabilitation counselors do not misuse assessment results, including test results and interpretations, and take reasonable steps to prevent the misuse of such by others.

b. RELEASE OF DATA TO QUALIFIED PROFESSIONALS. Rehabilitation counselors release assessment data in which clients are identified only with the consent of clients or their legal representatives, or court order. Such data is released only to professionals recognized as qualified to interpret the data.

G.3. PROPER DIAGNOSIS OF MENTAL DISORDERS

a. PROPER DIAGNOSIS. If within their professional and individual scope of practice, rehabilitation counselors take special care to provide proper diagnosis of mental disorders. Assessment techniques (including personal interviews) used to determine care of clients (e.g., focus of treatment, types of treatment, or recommended follow-up) are carefully selected and appropriately used.

b. CULTURAL SENSITIVITY. Rehabilitation counselors recognize that culture affects the manner in which the disorders of clients are defined. The socioeconomic and cultural experiences of clients are considered when diagnosing.

c. HISTORICAL AND SOCIAL PREJUDICES IN DIAGNOSIS AND THE DIAGNOSIS OF PATHOLOGY.

Rehabilitation counselors recognize historical and social prejudices in the misdiagnosis and pathologizing of certain individuals and groups. Rehabilitation counselors may refrain from making and/or reporting a diagnosis if they believe it would cause harm to clients or others.

G.4. COMPETENCE TO USE AND INTERPRET TESTS

a. LIMITS OF COMPETENCE. Rehabilitation counselors utilize only those testing and assessment services for which they have been trained and are competent. Rehabilitation counselors take reasonable measures to ensure the proper use of psychological and career assessment techniques by persons under their supervision. The requirement to develop this competency applies regardless of whether tests are administered through standard or technology-based methods.

b. APPROPRIATE USE. Rehabilitation counselors are responsible for the appropriate applications, scoring, interpretations, and use of assessment instruments relevant to the needs of clients, whether they score and interpret such assessments themselves or use technology or other services. Generally new instruments are used within one year of publication, unless rehabilitation counselors document a valid reason why the normative data from previous versions are more applicable to clients.

c. RECOMMENDATIONS BASED ON RESULTS. Rehabilitation counselors are responsible for recommendations involving individuals that are based on assessment results, and have a thorough understanding of educational, psychological, and career measurements, including validation criteria, assessment research, and guidelines for assessment development and use. In addition to test results, rehabilitation counselors consider other factors present in the client's situation (e.g., disability or cultural factors) before making any recommendations, when relevant.

d. ACCURATE INFORMATION. Rehabilitation counselors provide accurate information and avoid false claims or misconceptions when making statements about assessment instruments or techniques. Special efforts are made to avoid utilizing test results to make inappropriate diagnoses or inferences.

G.5. TEST SELECTION

a. APPROPRIATENESS OF INSTRUMENTS. Rehabilitation counselors carefully consider the validity, reliability, psychometric limitations, and appropriateness of instruments when selecting tests for use in given situations or with particular clients.

b. REFERRAL INFORMATION. If clients are referred to a third party for assessment, rehabilitation counselors provide specific referral questions and sufficient objective data about clients to ensure that appropriate assessment instruments are utilized.

c. CULTURALLY DIVERSE POPULATIONS. Rehabilitation counselors are cautious when selecting assessments for use with individuals from culturally diverse populations to avoid the use of instruments that lack appropriate psychometric properties for those client populations.

G.6. CONDITIONS OF TEST ADMINISTRATION

a. ADMINISTRATION CONDITIONS. Rehabilitation counselors administer assessments under the same conditions that were established in the standardized development of the instrument. When assessments are not administered under standard conditions, as may be necessary to accommodate clients with disabilities, or when unusual behavior or irregularities occur during the administration, those conditions are noted in interpretation, and the results may be designated as invalid or of questionable validity.

b. TECHNOLOGICAL ADMINISTRATION. When using technology or electronic methods to administer assessments, rehabilitation counselors ensure that the instruments are functioning properly and provide accurate results.

c. UNSUPERVISED TEST-TAKING. Rehabilitation counselors do not permit unsupervised or inadequately supervised use of tests or assessments unless the tests or assessments are designed, intended, and validated for self-administration and/or scoring.

G.7. TEST SCORING AND INTERPRETATION

a. REPORTING RESERVATIONS. In reporting assessment results, rehabilitation counselors indicate any reservations that exist regarding validity or reliability because of the circumstances of the assessments or the inappropriateness of the norms for persons tested.

b. CULTURAL DIVERSITY ISSUES IN ASSESSMENT. Rehabilitation counselors use caution with assessment techniques that were normed on populations other than that of the client. Rehabilitation counselors recognize the effects of age, color, race, national origin, culture, disability, ethnicity, gender, gender identity, religion/spirituality, sexual orientation, marital status/partnership, language preference, socioeconomic status, or any basis proscribed by law on test administrations and interpretations, and place test results in proper perspective with other relevant factors.

c. RESEARCH INSTRUMENTS. Rehabilitation counselors exercise caution when interpreting the results of research instruments not having sufficient technical data to support respondent results. The specific purposes for the use of such instruments are stated explicitly to examinees.

G.8. ASSESSMENT CONSIDERATIONS

a. ASSESSMENT SECURITY. Rehabilitation counselors maintain the integrity and security of tests and other assessment techniques consistent with legal and contractual obligations. Rehabilitation counselors do not appropriate, reproduce, or modify published assessments or parts thereof without acknowledgment and permission from the publisher.

b. OBSOLETE ASSESSMENT AND OUTDATED RESULTS. Rehabilitation counselors do not use data or results from assessments that are obsolete or outdated. Rehabilitation counselors make every effort to prevent the misuse of obsolete measures and assessment data by others.

c. ASSESSMENT CONSTRUCTION. Rehabilitation counselors use established scientific procedures, relevant standards, and current professional knowledge for assessment design in the development, publication, and utilization of educational and psychological assessment techniques.

SECTION H: TEACHING, SUPERVISION, AND TRAINING

H.1. REHABILITATION COUNSELOR SUPERVISION AND CLIENT WELFARE

a. CLIENT WELFARE. Rehabilitation counselor supervisors meet regularly with supervisees to review case notes, samples of clinical work, or live observations in order to ensure the welfare of clients. Supervisees have a responsibility to understand and follow the Code.

b. REHABILITATION COUNSELOR CREDENTIALS. Rehabilitation counselor supervisors work to ensure that clients are aware of the qualifications of the supervisees who render services to clients.

c. INFORMED CONSENT AND CLIENT RIGHTS. Rehabilitation counselor supervisors make supervisees aware of the rights of clients including the protection of their privacy and confidentiality in the counseling relationship. Supervisees provide clients with professional disclosure information and inform them of how the supervision process influences the limits of confidentiality. Supervisees make clients aware of who has access to records of the counseling relationship and how these records are used.

H.2. REHABILITATION COUNSELOR SUPERVISION COMPETENCE

a. SUPERVISOR PREPARATION. Rehabilitation counselors who offer supervision services regularly pursue continuing education activities, including both counseling and supervision topics and skills.

b. CULTURAL DIVERSITY IN REHABILITATION COUNSELOR SUPERVISION. Rehabilitation counselor supervisors are aware of and address the role of cultural diversity in the supervisory relationship.

H.3. ROLES AND RELATIONSHIPS WITH SUPERVISEES OR TRAINEES

a. RELATIONSHIP BOUNDARIES WITH SUPERVISEES OR TRAINEES. Rehabilitation counselor supervisors or educators clearly define and maintain ethical professional, personal, and social relationships with their supervisees or trainees. Rehabilitation counselor supervisors or educators avoid nonprofessional relationships with current supervisees or trainees. If rehabilitation counselor supervisors or educators must assume other professional roles (e.g., clinical and/or administrative supervisors, instructors) with supervisees or trainees, they work to minimize potential conflicts and explain to supervisees or trainees the expectations and responsibilities associated with each role. They do not engage in any form of nonprofessional interactions that may compromise the supervisory relationship.

b. SEXUAL OR ROMANTIC RELATIONSHIPS. Rehabilitation counselors do not engage in sexual or romantic interactions or relationships with current supervisees or trainees.

c. EXPLOITATIVE RELATIONSHIPS. Rehabilitation counselors do not engage in exploitative relationships with individuals with whom they have supervisory, evaluative, or instructional control or authority.

d. SEXUAL HARASSMENT. Rehabilitation counselor supervisors or educators do not condone or subject supervisees or trainees to sexual harassment.

e. RELATIONSHIPS WITH FORMER SUPERVISEES OR TRAINEES. Rehabilitation counselor supervisors or educators are aware of the power differential in their relationships with supervisees or trainees. Rehabilitation counselor supervisors or educators foster open discussions with former supervisees or trainees when considering engaging in a social, sexual, or other intimate relationships. Rehabilitation counselor supervisors or educators discuss with the former supervisees or trainees how their former relationship may affect the change in relationship.

f. NONPROFESSIONAL RELATIONSHIPS. Rehabilitation counselor supervisors or educators avoid nonprofessional or ongoing professional relationships with supervisees or trainees in which there is a risk of potential harm to supervisees or trainees or that may compromise the training experience or grades assigned. In addition, rehabilitation counselor supervisors or educators do not accept any form of professional services, fees, commissions, reimbursement, or remuneration from a site for supervisee or trainee placements.

g. CLOSE RELATIVES AND FRIENDS. Rehabilitation counselor supervisors or educators avoid accepting close relatives, romantic partners, or friends as supervisees or trainees. When such circumstances can not be avoided, rehabilitation counselor supervisors or educators utilize a formal review mechanism.

h. POTENTIALLY BENEFICIAL RELATIONSHIPS. Rehabilitation counselor supervisors or educators are aware of the power differential in their relationships with supervisees or trainees. If they believe nonprofessional relationships with supervisees or trainees may be potentially beneficial to supervisees or trainees, they take precautions similar to those taken by rehabilitation counselors when working with clients. Examples of potentially beneficial interactions or relationships include attending a formal ceremony; hospital visits; providing support during a stressful event; or mutual membership in professional associations, organizations, or communities. Rehabilitation counselor supervisors or educators engage in open discussions with supervisees or trainees when they consider entering into relationships with them outside of their role as clinical and/or administrative supervisors. Before engaging in nonprofessional relationships, rehabilitation counselor supervisors or educators discuss the rationale for such interactions, potential benefits or drawbacks, and anticipated consequences with supervisees or trainees. Rehabilitation counselor supervisors or educators clarify the specific nature and limitations of the additional role(s) they have with supervisees or trainees. Nonprofessional relationships with supervisees or trainees are time-limited or context specific and initiated with their consent.

H.4. REHABILITATION COUNSELOR SUPERVISOR RESPONSIBILITIES

a. DISCLOSURE AND INFORMED CONSENT FOR SUPERVISION. Rehabilitation counselor supervisors provide professional disclosure that, at a minimum, is consistent with the jurisdiction in which they practice. Rehabilitation counselor supervisors are responsible for incorporating into their supervision the principles of informed consent. Rehabilitation counselor supervisors inform supervisees of the policies and procedures to which they are to adhere and the mechanisms for due process appeal of individual supervisory actions.

b. EMERGENCIES AND ABSENCES. Rehabilitation counselor supervisors establish and communicate to supervisees the procedures for contacting them or, in their absence, alternative on-call supervisors to assist in handling crises.

c. STANDARDS FOR REHABILITATION COUNSELOR SUPERVISEES. Rehabilitation counselor supervisors make their supervisees aware of professional and ethical standards and legal responsibilities. Rehabilitation counselor supervisors of post-degree rehabilitation counselors encourage these rehabilitation counselors to adhere to professional standards of practice.

d. RESOLVING DIFFERENCES. When cultural, ethical, or professional issues are crucial to the viability of the supervisory relationship, both parties make efforts to resolve differences. When termination is warranted, rehabilitation counselor supervisors make appropriate referrals to possible alternative supervisors.

H.5. REHABILITATION COUNSELOR SUPERVISOR EVALUATION, REMEDIATION, AND ENDORSEMENT

a. EVALUATION. Rehabilitation counselor supervisors or educators clearly state to supervisees or trainees, prior to and throughout the training program, the levels of competency expected, appraisal methods, and timing of evaluations for both didactic and clinical competencies. Rehabilitation counselor supervisors or educators document and provide supervisees or trainees ongoing performance appraisal and evaluation feedback.

b. LIMITATIONS. Throughout ongoing evaluation and appraisal, rehabilitation counselor supervisors or educators are aware of and address the inability of some supervisees or trainees to achieve, improve, or maintain counseling competencies. Rehabilitation counselor supervisors or educators: (1) assist supervisees or trainees in securing remedial assistance when needed; (2) seek professional consultation and document their decision to dismiss or refer supervisees or trainees for assistance; (3) ensure that supervisees or trainees have recourse in a timely manner to address decisions that require them to seek assistance or to dismiss them; and (4) provide supervisees or trainees with due process according to organizational policies and procedures.

c. COUNSELING FOR SUPERVISEES. Rehabilitation counselor supervisors or educators address interpersonal competencies of supervisees or trainees in terms of the impact of these issues on clients, supervisory relationships, and professional functioning. With the exception of brief interventions to address situational distress, or as part of educational activities, rehabilitation counselor supervisors or educators do not provide counseling services to supervisees or trainees. If supervisees or trainees request counseling or if counseling is required as part of a remediation process, rehabilitation counselor supervisors or educators provide them with referrals.

d. ENDORSEMENT. Rehabilitation counselor supervisors or educators endorse supervisees or trainees for certification, licensure, employment, or completion of academic or training programs based on satisfactory progress and observations while under supervision or training. Regardless of qualifications, supervisors or educators do not endorse supervisees or trainees whom they believe to be impaired in any way that would interfere with the performance of the duties associated with the endorsement.

H.6. RESPONSIBILITIES OF REHABILITATION COUNSELOR EDUCATORS

a. REHABILITATION COUNSELOR EDUCATORS. Rehabilitation counselor educators who are responsible for developing, implementing, and supervising educational programs are skilled as teachers and practitioners. They are knowledgeable regarding the ethical, legal, and regulatory aspects of the profession, are skilled in applying that knowledge, and make students aware of their responsibilities. Rehabilitation counselor educators conduct rehabilitation counselor education and training programs in an ethical manner and serve as role models for professional behavior.

b. INFUSING CULTURAL DIVERSITY. Rehabilitation counselor educators infuse material related to cultural diversity into all courses and workshops for the development of professional rehabilitation counselors.

c. INTEGRATION OF STUDY AND PRACTICE. Rehabilitation counselor educators establish education and training programs that integrate academic study and supervised practice.

d. TEACHING ETHICS. Rehabilitation counselor educators make students aware of their ethical responsibilities, standards of the profession, and the ethical responsibilities of students to the profession. Rehabilitation counselor educators infuse ethical considerations throughout the curriculum.

e. PEER RELATIONSHIPS. Rehabilitation counselor educators make every effort to ensure that the rights of peers are not compromised when students lead counseling groups or provide clinical supervision. Rehabilitation counselor educators take steps to ensure that students understand they have the same ethical obligations as rehabilitation counselor educators, trainers, and supervisors.

f. INNOVATIVE TECHNIQUES/PROCEDURES/MODALITIES. When rehabilitation counselor educators teach counseling techniques/procedures/modalities that are innovative, without an empirical foundation or without a well-grounded theoretical foundation, they define the counseling techniques/procedures/modalities as unproven or developing and explain to students the potential risks and ethical considerations of using such techniques/procedures/modalities.

g. FIELD PLACEMENTS. Rehabilitation counselor educators develop clear policies within their training programs regarding field placement and other clinical experiences. Rehabilitation counselor educators provide clearly stated roles and responsibilities for students, site supervisors, and program supervisors. They confirm that site supervisors are qualified to provide supervision and inform site supervisors of their professional and ethical responsibilities in this role.

h. PROFESSIONAL DISCLOSURE. Before initiating counseling services, rehabilitation counselors-in-training disclose their status as students and explain how this status affects the limits of confidentiality. Rehabilitation counselor educators ensure that clients at field placement are aware of the services rendered and the qualifications of the students and supervisees rendering those services. Students obtain permission from clients before they use any information concerning the counseling relationship in the training process.

H.7. STUDENT WELFARE

a. ORIENTATION. Rehabilitation counselor educators recognize that orientation is a developmental process that continues throughout the educational and clinical training of students. Rehabilitation counselor educators have an ethical responsibility to provide enough information to prospective or current students about program expectations for them to make informed decisions about entering into and continuing in a program.

b. SELF-GROWTH EXPERIENCES. Rehabilitation counselor education programs delineate requirements for self-disclosure as part of self-growth experiences in their admission and program materials. Rehabilitation counselor educators use professional judgment when designing training experiences they conduct that require student self-growth or self-disclosure. Students are made aware of the ramifications their self-disclosure may have when rehabilitation counselors whose primary role as teachers, trainers, or supervisors require acting on ethical obligations to the profession. Evaluative components of experiential training experiences explicitly delineate predetermined academic standards that are separate and do not depend on the level of self-disclosure of students. As a condition to remain in the program, rehabilitation counselor educators may require that students seek professional help to address any personal concerns that may be affecting their competency.

H.8. CULTURAL DIVERSITY COMPETENCE IN REHABILITATION COUNSELOR EDUCATION PROGRAMS AND TRAINING PROGRAMS

a. DIVERSITY. Rehabilitation counselor educators actively attempt to recruit and retain a diverse faculty and student body. Rehabilitation counselor educators demonstrate commitment to cultural diversity competence by recognizing and valuing diverse cultures and types of abilities faculty and students bring to the training experience. Rehabilitation counselor educators provide appropriate accommodations as required to enhance and support the well-being and performance of students.

b. CULTURAL DIVERSITY COMPETENCE. Rehabilitation counselor educators actively infuse cultural diversity competency into their training and supervision practices. They actively educate trainees to develop and maintain beliefs, attitudes, knowledge, and skills necessary for competent practice with people across cultures.

SECTION I: RESEARCH AND PUBLICATION

I.1. RESEARCH RESPONSIBILITIES

a. USE OF HUMAN PARTICIPANTS. Rehabilitation counselors plan, design, conduct, and report research in a manner that reflects cultural sensitivity, is culturally appropriate, and is consistent with pertinent ethical principles, laws, host institutional regulations, and scientific standards governing research with human participants. They seek consultation when appropriate.

b. DEVIATION FROM STANDARD PRACTICES. Rehabilitation counselors seek consultation and observe stringent safeguards to protect the rights of research participants when a research problem suggests a deviation from standard acceptable practices.

c. PRECAUTIONS TO AVOID INJURY. Rehabilitation counselors who conduct research with human participants are responsible for the welfare of participants throughout the research process and take reasonable precautions to avoid causing injurious psychological, emotional, physical, or social effects to participants.

d. PRINCIPAL RESEARCHER RESPONSIBILITY. The ultimate responsibility for ethical research practice lies with principal researchers. All others involved in the research activities share ethical obligations and responsibilities for their own actions.

e. MINIMAL INTERFERENCE. Rehabilitation counselors take precautions to avoid causing disruption in the lives of research participants that may result from their involvement in research.

I.2. INFORMED CONSENT AND DISCLOSURE

a. INFORMED CONSENT IN RESEARCH. Individuals have the right to consent to become research participants. In seeking consent, rehabilitation counselors use language that: (1) accurately explains the purpose and procedures to be followed; (2) identifies any procedures that are experimental or relatively untried; (3) describes any attendant discomforts and risks; (4) describes any benefits or changes in individuals or organizations that might be reasonably expected; (5) discloses appropriate alternative procedures that would be advantageous for participants; (6) offers to answer any inquiries concerning the procedures; (7) describes any limitations on confidentiality; (8) describes formats and potential target audiences for the dissemination of research findings; and (9) instructs participants that they are free to withdraw their consent and to discontinue participation in the project at any time without penalty.

b. DECEPTION. Rehabilitation counselors do not conduct research involving deception unless alternative procedures are not feasible. If such deception has the potential to cause physical or emotional harm to research participants, the research is not conducted, regardless of prospective value. When the methodological requirements of a study necessitate concealment or deception, the investigator explains the reasons for this action as soon as possible during the debriefing.

c. VOLUNTARY PARTICIPATION. Participation in research is typically voluntary and without any penalty for refusal to participate. Involuntary participation is appropriate only when it can be demonstrated that participation has no harmful effects on participants and is essential to the research.

d. CONFIDENTIALITY OF INFORMATION. Information obtained about participants during the course of research is confidential. When the possibility exists that others may obtain access to such information, ethical research practice requires that the possibility, together with the plans for protecting confidentiality, be explained to participants as part of the procedures for obtaining informed consent.

e. INDIVIDUALS NOT CAPABLE OF GIVING INFORMED CONSENT. When individuals are not capable of giving informed consent, rehabilitation counselors provide an appropriate explanation to and obtain agreement for participation and appropriate consent from a legally authorized person.

f. COMMITMENTS TO PARTICIPANTS. Rehabilitation counselors take reasonable measures to honor all commitments to research participants.

g. EXPLANATIONS AFTER DATA COLLECTION. After data is collected, rehabilitation counselors provide participants with full clarification of the nature of the study to remove any misconceptions participants might have regarding the research. Where scientific or human values justify delaying or withholding information, rehabilitation counselors take reasonable measures to avoid causing harm.

h. AGREEMENT OF CONTRIBUTORS. Rehabilitation counselors who conduct joint research establish agreements in advance regarding allocation of tasks, publication credit, and types of acknowledgment received, and incur an obligation to cooperate as agreed.

i. INFORMING SPONSORS. Rehabilitation counselors inform sponsors, institutions, and publication channels regarding research procedures and outcomes. Rehabilitation counselors ensure that appropriate bodies and authorities are given pertinent information and acknowledgment.

I.3. REPORTING RESULTS

a. ACCURATE RESULTS. Rehabilitation counselors plan, conduct, and report research accurately. They provide thorough discussions of the limitations of their data and alternative hypotheses. Rehabilitation counselors do not engage in misleading or fraudulent research, distort data, misrepresent data, or deliberately bias their results. They explicitly mention all variables and

conditions known to the investigator(s) that may have affected the outcome of studies or interpretations of data. They describe the extent to which results are applicable for diverse populations.

b. OBLIGATION TO REPORT UNFAVORABLE RESULTS. Rehabilitation counselors report the results of any research of professional value. Results that reflect unfavorably on institutions, programs, services, prevailing opinions, or vested interests are not withheld.

c. IDENTITY OF PARTICIPANTS. Rehabilitation counselors who supply data, aid in the research of another person, report research results, or make original data available, take due care to disguise the identity of respective participants in the absence of specific authorization from the participants to do otherwise. In situations where participants self-identify their involvement in research studies, researchers take active steps to ensure that data is adapted/changed to protect the identities and welfare of all parties and that discussion of results does not cause harm to participants.

d. REPORTING ERRORS. If rehabilitation counselors discover significant errors in their published research, they take reasonable steps to correct such errors in a correction erratum or through other appropriate publication means.

e. REPLICATION STUDIES. Rehabilitation counselors are obligated to make available sufficient original research data to qualified professionals who may wish to replicate the study.

I.4. PUBLICATIONS AND PRESENTATIONS

a. RECOGNIZING CONTRIBUTIONS. When conducting and reporting research, rehabilitation counselors are familiar with and give recognition to previous work on the topic, observe copyright laws, and give full credit to those to whom credit is due.

b. CONTRIBUTORS. Rehabilitation counselors give credit through joint authorship, acknowledgment, footnote statements, or other appropriate means to those who have contributed significantly to research or concept development in accordance with such contributions. Principal contributors are listed first and minor technical or professional contributions are acknowledged in notes or introductory statements.

c. STUDENT RESEARCH. For articles that are substantially based on students' course papers, projects, dissertations or theses of students, and for which students have been the primary contributors, they are listed as principal authors.

d. DUPLICATE SUBMISSION. Rehabilitation counselors submit manuscripts for consideration to only one journal at a time. Manuscripts that are published in whole or in substantial part in another journal or published work are not submitted for publication without acknowledgment and permission from the previous publication.

e. PROFESSIONAL REVIEW. Rehabilitation counselors who review material submitted for publication, research, or other scholarly purposes respect the confidentiality and proprietary rights of those who submitted it. Rehabilitation counselors use care to make publication decisions based on valid and defensible standards. Rehabilitation counselors review article submissions in a timely manner and based on their scope and competency in research methodologies. Rehabilitation counselors who serve as reviewers at the request of editors or publishers make every effort to review only materials that are within their scope of competency and use care to avoid personal biases.

f. PLAGIARISM. Rehabilitation counselors do not plagiarize, that is, they do not present another person's work as their own work.

g. REVIEW/REPUBLICANION OF DATA OR IDEAS. Rehabilitation counselors fully acknowledge and make editorial reviewers aware of prior publication of ideas or data where such ideas or data are submitted for review or publication.

h. NONPROFESSIONAL RELATIONSHIPS. Rehabilitation counselors avoid nonprofessional relationships with research participants when research involves intensive or extensive interaction. When a nonprofessional interaction between researchers and research participants may be potentially beneficial, researchers must document, prior to the interaction (when feasible), the rationale for such interactions, the potential benefits, and anticipated consequences for research participants. Such interactions are initiated with appropriate consent of research participants. Where unintentional harm occurs to research participants due to nonprofessional interactions, researchers must show evidence of an attempt to remedy such harm.

i. SEXUAL OR ROMANTIC RELATIONSHIPS WITH RESEARCH PARTICIPANTS. Rehabilitation counselors do not engage in sexual or romantic rehabilitation counselor–research participant interactions or initiate relationships with current research participants.

j. SEXUAL HARASSMENT AND RESEARCH PARTICIPANTS. Rehabilitation counselors do not condone or subject research participants to sexual harassment.

I.5. CONFIDENTIALITY

a. INSTITUTIONAL APPROVAL. When institutional review board approval is required, rehabilitation counselors provide accurate information about their research proposals and obtain approval prior to conducting their research. They conduct research in accordance with the approved research protocol.

b. ADHERENCE TO GUIDELINES. Rehabilitation counselors are responsible for understanding and adhering to national, local, agency, or institutional policies or applicable guidelines regarding confidentiality in their research practices.

c. CONFIDENTIALITY OF INFORMATION OBTAINED IN RESEARCH. Violations of participants' privacy and confidentiality are risks of participation in research involving human participants. Investigators maintain all research records in a secure manner. They explain to participants the risks of violations of privacy and confidentiality and disclose to participants any limits of confidentiality that reasonably can be expected.

d. DISCLOSURE OF RESEARCH INFORMATION. Rehabilitation counselors do not disclose confidential information that reasonably could lead to the identification of research participants unless they have obtained the prior consent of participants. Use of data derived from counseling relationships for purposes of training, research, or publication are confined to content that are disguised to ensure the anonymity of the individuals involved.

e. AGREEMENT FOR IDENTIFICATION. Rehabilitation counselors identify clients, students, or research participants in a presentation or publication only when it has been reviewed by those clients, students, or research participants and they have agreed to its presentation or publication.

SECTION J: TECHNOLOGY AND DISTANCE COUNSELING

J.1. BEHAVIOR AND IDENTIFICATION

a. APPLICATION AND COMPETENCE. Rehabilitation counselors are held to the same level of expected behavior and competence as defined by the Code regardless of the technology used (e.g., cellular phones, email, facsimile, video, audio, audio-visual) or its application (e.g., assessment, research, data storage).

b. PROBLEMATIC USE OF THE INTERNET. Rehabilitation counselors are aware of behavioral differences with the use of the Internet, and/or methods of electronic communication, and how these may impact the counseling process.

c. POTENTIAL MISUNDERSTANDINGS. Rehabilitation counselors educate clients on how to prevent and address potential misunderstandings arising from the lack of visual cues and voice intonations when communicating electronically.

J.2. ACCESSIBILITY

a. DETERMINING CLIENT CAPABILITIES. When providing technology-assisted services, rehabilitation counselors determine that clients are functionally and linguistically capable of using the application and that the technology is appropriate for the needs of clients. Rehabilitation counselors verify that clients understand the purpose and operation of technology applications and follow-up with clients to correct possible misconceptions, discover appropriate use, and assess subsequent steps.

b. ACCESSING TECHNOLOGY. Based on functional, linguistic, or cultural needs of clients, rehabilitation counselors guide clients in obtaining reasonable access to pertinent applications when providing technology-assisted services.

J.3. CONFIDENTIALITY, INFORMED CONSENT, AND SECURITY

a. CONFIDENTIALITY AND INFORMED CONSENT. Rehabilitation counselors ensure that clients are provided sufficient information to adequately address and explain the limits of: (1) technology used in the counseling process in general; (2) ensuring and maintaining complete confidentiality of client information transmitted through electronic means; (3) a colleague, supervisor, and an employee, such as an Information Technology (IT) administrator or paraprofessional staff, who might have authorized or unauthorized access to electronic transmissions; (4) an authorized or unauthorized user including a family member and fellow employee who has access to any technology the client may use in the counseling process; (5) pertinent legal rights and limitations governing the practice of a profession over jurisdictional boundaries; (6) record maintenance and retention policies; (7) technology failure, unavailability, or crisis contact procedures; and, (8) protecting client information during the counseling process and at the termination of services.

b. TRANSMITTING CONFIDENTIAL INFORMATION. Rehabilitation counselors take precautions to ensure the confidentiality of information transmitted through the use of computers, email, facsimile machines, telephones, voicemail, answering machines, and other technology.

c. SECURITY. Rehabilitation counselors: (1) use encrypted and/or password-protected Internet sites and/or email communications to help ensure confidentiality when possible and take other reasonable precautions to ensure the confidentiality of information transmitted through the use of computers, email, facsimiles, telephones, voicemail, answering machines, or other technology; (2) notify clients of the inability to use encryption or password protection, the hazards of not using these security measures; and, (3) limit transmissions to general communications that are not specific to clients, and/or use non-descript identifiers.

d. IMPOSTERS. In situations where it is difficult to verify the identity of rehabilitation counselors, clients, their guardians, and/or team members, rehabilitation counselors: (1) address imposter concerns, such as using code words, numbers, graphics, or other non-descript identifiers; and (2) establish methods for verifying identities.

J.4. TECHNOLOGY-ASSISTED ASSESSMENT

Rehabilitation counselors using technology-assisted test interpretations abide by the ethical standards for the use of such assessments regardless of administration, scoring, interpretation, or reporting method and ensure that persons under their supervision are aware of these standards.

J.5. CONSULTATION GROUPS

When participating in electronic professional consultation or consultation groups (e.g., social networks, listservs, blogs, online courses, supervision, interdisciplinary teams), rehabilitation counselors: (1) establish and/or adhere to the group's norms promoting behavior that is consistent with ethical standards, and (2) limit disclosure of confidential information.

J.6. RECORDS, DATA STORAGE, AND DISPOSAL

a. RECORDS MANAGEMENT. Rehabilitation counselors are aware that electronic messages are considered to be part of the records of clients. Since electronic records are preserved, rehabilitation counselors inform clients of the retention method and period, of who has access to the records, and how the records are destroyed.

b. PERMISSION TO RECORD. Rehabilitation counselors obtain permission from clients prior to recording sessions through electronic or other means.

c. PERMISSION TO OBSERVE. Rehabilitation counselors obtain permission from clients prior to observing counseling sessions, reviewing session transcripts, and/or listening to or viewing recordings of sessions with supervisors, faculty, peers, or others within the training environment.

J.7. LEGAL

a. ETHICAL/LLEGAL REVIEW. Rehabilitation counselors review pertinent legal and ethical codes for possible violations emanating from the practice of distance counseling and/or supervision.

b. LAWS AND STATUTES. Rehabilitation counselors ensure that the use of technology does not violate the laws of any local, regional, national, or international entity, observe all relevant statutes, and seek business, legal, and technical assistance when using technology in such a manner.

J.8. ADVERTISING

a. ONLINE PRESENCE. Rehabilitation counselors maintaining sites on the Internet do so based on the advertising, accessibility, and cultural provisions of the Code. The Internet site is regularly maintained and includes avenues for communication with rehabilitation counselors.

b. VERACITY OF ELECTRONIC INFORMATION. Rehabilitation counselors assist clients in determining the validity and reliability of information found on the Internet and/or other technology applications.

J.9. RESEARCH AND PUBLICATION

a. INFORMED CONSENT. Rehabilitation counselors are aware of the limits of technology-based research with regards to privacy, confidentiality, participant identities, venues used, accuracy, and/or dissemination. They inform participants of those limitations whenever possible, and make provisions to safeguard the collection, dissemination, and storage of data collected.

b. INTELLECTUAL PROPERTY. When rehabilitation counselors possess intellectual property of people or entities (e.g., audio, visual, or written historical or electronic media), they take reasonable precautions to protect the technological dissemination of that information through disclosure, informed consent, password protection, encryption, copyright, or other security/intellectual property protection means.

J.10. REHABILITATION COUNSELOR UNAVAILABILITY

- a. TECHNOLOGICAL FAILURE.** Rehabilitation counselors explain to clients the possibility of technology failure and provide an alternative means of communication.
- b. UNAVAILABILITY.** Rehabilitation counselors provide clients with instructions for contacting them when they are unavailable through technological means.
- c. CRISIS CONTACT.** Rehabilitation counselors provide referral information for at least one agency or rehabilitation counselor-on-call for purposes of crisis intervention for clients within their geographical region.

J.11. DISTANCE COUNSELING CREDENTIAL DISCLOSURE

Rehabilitation counselors practicing through Internet sites provide information to clients regarding applicable certification boards and/or licensure bodies to facilitate client rights and protection and to address ethical concerns.

J.12. DISTANCE COUNSELING RELATIONSHIPS

a. BENEFITS AND LIMITATIONS. Rehabilitation counselors inform clients of the benefits and limitations of using technology applications in the counseling process and in business procedures. Such technologies include, but are not limited to, computer hardware and/or software, telephones, the Internet and other audio and/or video communication, assessment, research, or data storage devices or media.

b. INAPPROPRIATE APPLICATIONS. When technology-assisted distance counseling services are deemed inappropriate by rehabilitation counselors or clients, rehabilitation counselors pursue services face-to-face or by other means.

c. BOUNDARIES. Rehabilitation counselors discuss and establish boundaries with clients, family members, service providers, and/or team members regarding the appropriate use and/or application of technology and the limits of its use within the counseling relationship.

J.13. DISTANCE COUNSELING SECURITY AND BUSINESS PRACTICES

a. SELF-DESCRIPTION. Rehabilitation counselors practicing through Internet sites provide information about themselves (e.g., ethnicity, gender) as would be available if the counseling were to take place face-to-face.

b. INTERNET SITES. Rehabilitation counselors practicing through Internet sites: (1) obtain the written consent of legal guardians or other authorized legal representatives prior to rendering services in the event clients are minor children, adults who are legally incompetent, or adults incapable of giving informed consent; and (2) strive to provide translation and interpretation capabilities for clients who have a different primary language while also addressing the imperfect nature of such translations or interpretations.

c. BUSINESS PRACTICES. As part of the process of establishing informed consent, rehabilitation counselors: (1) discuss time zone differences, local customs, and cultural or language differences that might impact service delivery; and (2) educate clients when technology-assisted distance counseling services are not covered by insurance.

J.14. DISTANCE GROUP COUNSELING

When participating in distance group counseling, rehabilitation counselors: (1) establish and/or adhere to the group's norms promoting behavior that is consistent with ethical standards; and (2) limit disclosure of confidential information.

J.15. TEACHING, SUPERVISION, AND TRAINING AT A DISTANCE

Rehabilitation counselors, educators, supervisors, or trainers working with trainees or supervisees at a distance, disclose to trainees or supervisees the limits of technology in conducting distance teaching, supervision, and training.

SECTION K: BUSINESS PRACTICES

K.1. ADVERTISING AND SOLICITING CLIENTS

a. ACCURATE ADVERTISING. When advertising or otherwise representing their services to the public, rehabilitation counselors identify their credentials in an accurate manner that is not false, misleading, deceptive, or fraudulent.

b. TESTIMONIALS. Rehabilitation counselors who use testimonials do not solicit them from current clients or former clients or any other persons who may be vulnerable to undue influence.

c. STATEMENTS BY OTHERS. Rehabilitation counselors make reasonable efforts to ensure that statements made by others about them or the profession are accurate.

d. RECRUITING THROUGH EMPLOYMENT. Rehabilitation counselors do not use their places of employment or institutional affiliations to recruit or gain clients, supervisees, or consultees for their private practice.

e. PRODUCTS AND TRAINING ADVERTISEMENTS. Rehabilitation counselors who develop products related to their profession or conduct workshops or training events ensure that the advertisements concerning these products or events are accurate and disclose adequate information for clients to make informed choices.

f. PROMOTING TO THOSE SERVED. Rehabilitation counselors do not use counseling, teaching, training, or supervisory relationships to promote their products or training events in a manner that is deceptive or would exert undue influence on individuals who may be vulnerable. Rehabilitation counselor educators may adopt textbooks they have authored for appropriate instructional purposes.

K.2. CLIENT RECORDS

a. APPROPRIATE DOCUMENTATION. Rehabilitation counselors establish and maintain documentation consistent with agency policy that accurately, sufficiently, and in a timely manner reflects the services provided and that identifies who provided the services. If case notes need to be altered, it is done in a manner that preserves the original notes and is accompanied by the date of change, information that identifies who made the change, and the rationale for the change.

b. PRIVACY. Documentation generated by rehabilitation counselors protects the privacy of clients to the extent that it is possible and includes only relevant or appropriate counseling information.

c. RECORDS MAINTENANCE. Rehabilitation counselors maintain records necessary for rendering professional services to clients and as required by applicable laws, regulations, or agency/institution procedures. Subsequent to file closure, records are maintained for the number of years consistent with jurisdictional requirements or for longer periods during which maintenance of such records is necessary or helpful to provide reasonably anticipated future services to clients. After that time, records are destroyed in a manner assuring preservation of confidentiality.

K.3. FEES, BARTERING, AND BILLING

a. ESTABLISHING FEES. In establishing fees for professional counseling services, rehabilitation counselors consider the financial status and locality of clients. In the event that the established fee structure is inappropriate for clients, rehabilitation counselors assist clients in attempting to find comparable services of acceptable cost.

b. ADVANCE UNDERSTANDING OF FEES. Prior to entering the counseling relationship, rehabilitation counselors clearly explain to clients all financial arrangements related to professional services. If rehabilitation counselors intend to use collection agencies or take legal measures to collect fees from clients who do not pay for services as agreed upon, they first inform clients of intended actions and offer clients the opportunity to make payment.

c. REFERRAL FEES. Rehabilitation counselors do not give or receive commissions, rebates, or any other form of remuneration when referring clients for professional services.

d. WITHHOLDING RECORDS FOR NONPAYMENT. Rehabilitation counselors may not withhold records under their control that are requested and needed for the emergency treatment of clients solely because payment has not been received.

e. BARTERING DISCOURAGED. Rehabilitation counselors ordinarily refrain from accepting goods or services from clients in return for rehabilitation counseling services because such arrangements create inherent potential for conflicts, exploitation, and distortion of the professional relationship. Rehabilitation counselors participate in bartering only if the relationship is not exploitative or harmful to clients, if clients request it, if a clear written contract is established, and if such arrangements are an accepted practice in the community or culture of clients.

f. BILLING RECORDS. Rehabilitation counselors establish and maintain billing records that are confidential and accurately reflect the services provided, the time engaged in the activity, and that clearly identify who provided the services.

K.4. TERMINATION

Rehabilitation counselors in fee-for-service relationships may terminate services with clients due to nonpayment of fees under the following conditions: (1) clients were informed of payment responsibilities and the effects of nonpayment or the termination of payment by third parties; and (2) clients do not pose an imminent danger to self or others. As appropriate, rehabilitation counselors refer clients to other qualified professionals to address issues unresolved at the time of termination.

SECTION L: RESOLVING ETHICAL ISSUES

L.1. KNOWLEDGE OF CRCC STANDARDS

Rehabilitation counselors are responsible for reading, understanding, and following the Code, and

seeking clarification of any standard that is not understood. Lack of knowledge or misunderstanding of an ethical responsibility is not a defense against a charge of unethical conduct.

L.2. APPLICATION OF STANDARDS

a. DECISION-MAKING MODELS AND SKILLS. Rehabilitation counselors must be prepared to recognize underlying ethical principles and conflicts among competing interests, as well as to apply appropriate decision-making models and skills to resolve dilemmas and act ethically.

b. ADDRESSING UNETHICAL BEHAVIOR. Rehabilitation counselors expect colleagues to adhere to the Code. When rehabilitation counselors possess knowledge that raises doubt as to whether another rehabilitation counselor is acting in an ethical manner, they take appropriate action.

c. CONFLICTS BETWEEN ETHICS AND LAWS. Rehabilitation counselors obey the laws and statutes of the legal jurisdiction in which they practice unless there is a conflict with the Code. If ethical responsibilities conflict with laws, regulations, or other governing legal authorities, rehabilitation counselors make known their commitment to the Code and take steps to resolve conflicts. If conflicts cannot be resolved by such means, rehabilitation counselors may adhere to the requirements of law, regulations, or other governing legal authorities.

d. KNOWLEDGE OF RELATED CODES OF ETHICS. Rehabilitation counselors understand applicable ethics codes from other professional organizations or from certification and licensure bodies of which they are members. Rehabilitation counselors are aware that the Code forms the basis for CRCC disciplinary actions, and understand that if there is a discrepancy between codes they are held to the CRCC standards.

e. CONSULTATION. When uncertain as to whether particular situations or courses of action may be in violation of the Code, rehabilitation counselors consult with other professionals who are knowledgeable about ethics, with supervisors, colleagues, and/or with appropriate authorities, such as CRCC, licensure boards, or legal counsel.

f. ORGANIZATION CONFLICTS. If the demands of organizations with which rehabilitation counselors are affiliated pose a conflict with the Code, rehabilitation counselors specify the nature of such conflicts and express to their supervisors or other responsible officials their commitment to the Code. When possible, rehabilitation counselors work toward change within organizations to allow full adherence to the Code. In doing so, they address any confidentiality issues.

L.3. SUSPECTED VIOLATIONS

a. INFORMAL RESOLUTION. When rehabilitation counselors have reason to believe that another rehabilitation counselor is violating or has violated an ethical standard, they attempt first to resolve the issue informally with the other rehabilitation counselor if feasible, provided such action does not violate confidentiality rights that may be involved.

b. REPORTING ETHICAL VIOLATIONS. When an informal resolution is not appropriate or feasible, or if an apparent violation has substantially harmed or is likely to substantially harm persons or organizations and is not appropriate for informal resolution or is not resolved properly, rehabilitation counselors take further action appropriate to the situation. Such action might include referral to local or national committees on professional ethics, voluntary national certification bodies, licensure boards, or to the appropriate institutional authorities. This standard does not apply when an intervention would violate confidentiality rights (e.g., when clients refuse to allow information or statements to be shared) or when rehabilitation counselors have been retained to review the work of another rehabilitation counselor whose professional conduct is in question by a regulatory agency.

c. UNWARRANTED COMPLAINTS. Rehabilitation counselors do not initiate, participate in, or encourage the filing of ethics complaints that are made with reckless disregard or willful ignorance of facts that would disprove the allegation, or are intended to harm rehabilitation counselors rather than to protect clients or the public.

L.4. COOPERATION WITH ETHICS COMMITTEES

Rehabilitation counselors assist in the process of enforcing the Code. Rehabilitation counselors cooperate with requests, proceedings, and requirements of the CRCC Ethics Committee or ethics committees of other duly constituted associations or boards having jurisdiction over those charged with a violation. Rehabilitation counselors are familiar with the Guidelines and Procedures for Processing Complaints and use it as a reference for assisting in the enforcement of the Code.

L.5. UNFAIR DISCRIMINATION AGAINST COMPLAINANTS AND RESPONDENTS

Rehabilitation counselors do not deny individuals services, employment, advancement, admission

to academic or other programs, tenure, or promotions based solely upon their having made or their being the subject of an ethics complaint. This does not preclude taking action based upon the outcome of such proceedings when rehabilitation counselors are found to be in violation of ethical standards.

NOTE: Rehabilitation counselors who violate the Code are subject to disciplinary action. Since the use of the Certified Rehabilitation Counselor (CRC®) and Canadian Certified Rehabilitation Counselor (CCRC®) designations are a privilege granted by the Commission on Rehabilitation Counselor Certification (CRCC®), CRCC reserves unto itself the power to suspend or to revoke the privilege or to approve other penalties for a violation. Disciplinary penalties are imposed as warranted by the severity of the offense and its attendant circumstances. All disciplinary actions are undertaken in accordance with published procedures and penalties designed to assure the proper enforcement of the Code within the framework of due process and equal protection under the law.

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RECOMMENDED CITATION

Commission on Rehabilitation Counselor Certification. (2009). *Code of professional ethics for rehabilitation counselors*. Schaumburg, IL: Author.

Appendix x

NAD-RID Code of Professional Conduct

NAD-RID CODE OF PROFESSIONAL CONDUCT

CODE OF PROFESSIONAL CONDUCT

Registry of Interpreters for the Deaf
333 Commerce Street Alexandria, VA 22314
703/838-0030 (V) 703/838-0459 (TTY) 703/838-0454 (Fax) www.rid.org

Scope

The National Association of the Deaf (NAD) and the Registry of Interpreters for the Deaf, Inc. (RID) uphold high standards of professionalism and ethical conduct for interpreters. Embodied in this Code of Professional Conduct (formerly known as the Code of Ethics) are seven tenets setting forth guiding principles, followed by illustrative behaviors.

The tenets of this Code of Professional Conduct are to be viewed holistically and as a guide to professional behavior. This document provides assistance in complying with the code. The guiding principles offer the basis upon which the tenets are articulated. The illustrative behaviors are not exhaustive, but are indicative of the conduct that may either conform to or violate a specific tenet or the code as a whole.

When in doubt, the reader should refer to the explicit language of the tenet. If further clarification is needed, questions may be directed to the national office of the Registry of Interpreters for the Deaf, Inc.

This Code of Professional Conduct is sufficient to encompass interpreter roles and responsibilities in every type of situation (e.g., educational, legal, medical). A separate code for each area of interpreting is neither necessary nor advisable.

Philosophy

The American Deaf community represents a cultural and linguistic group having the inalienable right to full and equal communication and to participation in all aspects of society. Members of the American Deaf community have the right to informed choice and the highest quality interpreting services. Recognition of the communication rights of America's women, men, and children who are deaf is the foundation of the tenets, principles, and behaviors set forth in this Code of Professional Conduct.

Voting Protocol

This Code of Professional Conduct was presented through mail referendum to certified interpreters who are members in good standing with the Registry of Interpreters for the Deaf, Inc. and the National Association of the Deaf. The vote was to adopt or to reject.

Adoption of this Code of Professional Conduct

Interpreters who are members in good standing with the Registry of Interpreters for the Deaf, Inc. and the National Association of the Deaf voted to adopt this Code of Professional Conduct, effective July 1, 2005. This Code of Professional Conduct is a working document that is expected to change over time. The aforementioned members may be called upon to vote, as may be needed from time to time, on the tenets of the code.

The guiding principles and the illustrative behaviors may change periodically to meet the needs and requirements of the **RID** Ethical Practices System. These sections of the Code of Professional Conduct will not require a vote of the members. However, members are encouraged to recommend changes for future updates.

Function of the Guiding Principles

It is the obligation of every interpreter to exercise judgment, employ critical thinking, apply the benefits of practical experience, and reflect on past actions in the practice of their profession. The guiding principles in this document represent the concepts of confidentiality, linguistic and professional competence, impartiality, professional growth and development, ethical business practices, and the rights of participants in interpreted situations to informed choice. The driving force behind the guiding principles is the notion that the interpreter will do no harm.

When applying these principles to their conduct, interpreters remember that their choices are governed by a "reasonable interpreter" standard. This standard represents the hypothetical interpreter who is appropriately educated, informed, capable, aware of professional standards, and fair-minded.

CODE OF PROFESSIONAL CONDUCT

Tenets

1. Interpreters adhere to standards of confidential communication.
2. Interpreters possess the professional skills and knowledge required for the specific interpreting situation.
3. Interpreters conduct themselves in a manner appropriate to the specific interpreting situation.
4. Interpreters demonstrate respect for consumers.
5. Interpreters demonstrate respect for colleagues, interns, and students of the profession.
6. Interpreters maintain ethical business practices. 7. Interpreters engage in professional development.

Applicability

- A. This Code of Professional Conduct applies to certified and associate members of the Registry of Interpreters for the Deaf, Inc., Certified members of the National Association of the Deaf, interns, and students of the profession.
- B. Federal, state or other statutes or regulations may supersede this Code of Professional Conduct. When there is a conflict between this code and local, state, or federal laws and regulations, the interpreter obeys the rule of law.
- C. This Code of Professional Conduct applies to interpreted situations that are performed either face-to-face or remotely.

Definitions

For the purpose of this document, the following terms are used:

Colleagues: Other interpreters.

Conflict of Interest: A conflict between the private interests (personal, financial, or professional) and the official or professional responsibilities of an interpreter in a position of trust, whether actual or perceived, deriving from a specific interpreting situation.

Consumers: Individuals and entities who are part of the interpreted situation. This includes individuals who are deaf, deaf-blind, hard of hearing, and hearing.

1.0 CONFIDENTIALITY

Tenet: Interpreters adhere to standards of confidential communication.

Guiding Principle: Interpreters hold a position of trust in their role as linguistic and cultural facilitators of communication. Confidentiality is highly valued by consumers and is essential to protecting all involved.

Each interpreting situation (e.g., elementary, secondary, and post-secondary education, legal, medical, mental health) has a standard of confidentiality. Under the reasonable interpreter standard, professional interpreters are expected to know the general

requirements and applicability of various levels of confidentiality. Exceptions to confidentiality include, for example, federal and state laws requiring mandatory reporting of abuse or threats of suicide, or responding to subpoenas.

Illustrative Behavior - Interpreters:

- 1.1 Share assignment-related information only on a confidential and "as-needed" basis (e.g., supervisors, interpreter team members, members of the educational team, hiring entities).
- 1.2 Manage data, invoices, records, or other situational or consumer-specific information in a manner consistent with maintaining consumer confidentiality (e.g., shredding, locked files).
- 1.3 Inform consumers when federal or state mandates require disclosure of confidential information.

2.0 PROFESSIONALISM

Tenet: Interpreters possess the professional skills and knowledge required for the specific interpreting situation.

Guiding Principle: Interpreters are expected to stay abreast of evolving language use and trends in the profession of interpreting as well as in the American Deaf community.

Interpreters accept assignments using discretion with regard to skill, communication mode, setting, and consumer needs. Interpreters possess knowledge of American Deaf culture and deafness-related resources.

Illustrative Behavior - Interpreters:

- 2.1 Provide service delivery regardless of race, color, national origin, gender, religion, age, disability, sexual orientation, or any other factor.
- 2.2 Assess consumer needs and the interpreting situation before and during the assignment and make adjustments as needed.
- 2.3 Render the message faithfully by conveying the content and spirit of what is being communicated, using language most readily understood by consumers, and correcting errors discreetly and expeditiously.
- 2.4 Request support (e.g., certified deaf interpreters, team members, language facilitators) when needed to fully convey the message or to address exceptional communication challenges (e.g. cognitive disabilities, foreign sign language, emerging language ability, or lack of formal instruction or language).
- 2.5 Refrain from providing counsel, advice, or personal opinions.
- 2.6 Judiciously provide information or referral regarding available interpreting or community resources without infringing upon consumers' rights.

3.0 CONDUCT

Tenet: Interpreters conduct themselves in a manner appropriate to the specific interpreting situation.

Guiding Principle: Interpreters are expected to present themselves appropriately in demeanor and appearance. They avoid situations that result in conflicting roles or perceived or actual conflicts of interest.

Illustrative Behavior - Interpreters:

- 3.1 Consult with appropriate persons regarding the interpreting situation to determine issues such as placement and adaptations necessary to interpret effectively.
- 3.2 Decline assignments or withdraw from the interpreting profession when not competent due to physical, mental, or emotional factors.
- 3.3 Avoid performing dual or conflicting roles in interdisciplinary (e.g. educational or mental health teams) or other settings.
- 3.4 Comply with established workplace codes of conduct, notify appropriate personnel if there is a conflict with this Code of Professional Conduct, and actively seek resolution where warranted.

- 3.5 Conduct and present themselves in an unobtrusive manner and exercise care in choice of attire.
- 3.6 Refrain from the use of mind-altering substances before or during the performance of duties.
- 3.7 Disclose to parties involved any actual or perceived conflicts of interest.
- 3.8 Avoid actual or perceived conflicts of interest that might cause harm or interfere with the effectiveness of interpreting services.
- 3.9 Refrain from using confidential interpreted information for personal, monetary, or professional gain.
- 3.10 Refrain from using confidential interpreted information for the benefit of personal or professional affiliations or entities.

4.0 RESPECT FOR CONSUMERS

Tenet: Interpreters demonstrate respect for consumers.

Guiding Principle: Interpreters are expected to honor consumer preferences in selection of interpreters and interpreting dynamics, while recognizing the realities of qualifications, availability, and situation.

Illustrative Behavior - Interpreters:

- 4.1 Consider consumer requests or needs regarding language preferences, and render the message accordingly (interpreted or transliterated).
- 4.2 Approach consumers with a professional demeanor at all times.
- 4.3 Obtain the consent of consumers before bringing an intern to an assignment.
- 4.4 Facilitate communication access and equality, and support the full interaction and independence of consumers.

5.0 RESPECT FOR COLLEAGUES

Tenet: Interpreters demonstrate respect for colleagues, interns and students of the profession.

Guiding Principle: Interpreters are expected to collaborate with colleagues to foster the delivery of effective interpreting services. They also understand that the manner in which they relate to colleagues reflects upon the profession in general.

Illustrative Behavior - Interpreters:

- 5.1 Maintain civility toward colleagues, interns, and students.
- 5.2 Work cooperatively with team members through consultation before assignments regarding logistics, providing professional and courteous assistance when asked and monitoring the accuracy of the message while functioning in the role of the support interpreter.
- 5.3 Approach colleagues privately to discuss and resolve breaches of ethical or professional conduct through standard conflict resolution methods; file a formal grievance only after such attempts have been unsuccessful or the breaches are harmful or habitual.
- 5.4 Assist and encourage colleagues by sharing information and serving as mentors when appropriate.
- 5.5 Obtain the consent of colleagues before bringing an intern to an assignment.

6.0 BUSINESS PRACTICES

Tenet: Interpreters maintain ethical business practices.

Guiding Principle: Interpreters are expected to conduct their business in a professional manner whether in private practice or in the employ of an agency or other entity. Professional interpreters are entitled to a living wage based on their qualifications and expertise. Interpreters are also entitled to working conditions conducive to effective service delivery.

Illustrative Behavior - Interpreters:

- 6.1 Accurately represent qualifications, such as certification, educational background, and experience, and provide documentation when requested.

- 6.2 Honor professional commitments and terminate assignments only when fair and justifiable grounds exist.
- 6.3 Promote conditions that are conducive to effective communication, inform the parties involved if such conditions do not exist, and seek appropriate remedies.
- 6.4 Inform appropriate parties in a timely manner when delayed or unable to fulfill assignments.
- 6.5 Reserve the option to decline or discontinue assignments if working conditions are not safe, healthy, or conducive to interpreting.
- 6.6 Refrain from harassment or coercion before, during, or after the provision of interpreting services.
- 6.7 Render pro bono services in a fair and reasonable manner.
- 6.8 Charge fair and reasonable fees for the performance of interpreting services and arrange for payment in a professional and judicious manner.

7.0 PROFESSIONAL DEVELOPMENT

Tenet: Interpreters engage in professional development.

Guiding Principle: Interpreters are expected to foster and maintain interpreting competence and the stature of the profession through ongoing development of knowledge and skills.

Illustrative Behavior - Interpreters:

7.1 Increase knowledge and strengthen skills through activities such as:

- pursuing higher education;
- attending workshops and conferences;
- seeking mentoring and supervision opportunities;
- participating in community events; and
- engaging in independent studies.

7.2 Keep abreast of laws, policies, rules, and regulations that affect the profession.

Appendix xi Sample Accommodation Letter

MEMO

TO: (Insert Faculty Name) (Insert Course and Section Number)
FROM: (Insert Name)
DATE: December 18, 2012
RE: **(Insert Student Name)**

The purpose of this informational memo is to verify the appropriate accommodations for the above listed student in your class. There is no need to take action at this time. Implementation of the accommodations listed is initiated by the student in discussion with you or in follow-up e-mails from asnotes@unm.edu and/or tstaccom@unm.edu. When requested, your assistance in providing accommodations to a student with a disability is in accordance with Section 504 of the Vocational Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) Amendments Act of 2008. Documentation verifying the student's disability is on file with Accessibility Resource Center, 2021 Mesa Vista Hall. All identifying information regarding students with disabilities is confidential and should not be unnecessarily discussed with peers or other colleagues without the student's consent.

Accommodations for any field work, practicum, clinical, student teaching, or other experiential courses require a meeting between student, faculty, and Accessibility Resource Center staff to determine reasonable appropriate accommodations. ARC is available for questions regarding how to accommodate students with disabilities based on course goals and objectives. Please contact us at 277-2506.

The student is eligible for the following class accommodations:

(Insert appropriate accommodations here.)

Appendix xii
Recorder Consent Form

RECORDER CONSENT FORM

Accessibility Resource Center makes every effort to assist students with specific learning needs who may need to record lectures. Students agree to comply with the procedures outlined below. Adherence to these procedures allows the full opportunity to academic freedom by the professor and fellow student.

1. Inform Accessibility Resource Center of your particular needs. This will assist the department in making an appropriate adjustment to improve your experience and will also help to facilitate the recording of lectures.
2. The recordings of any lecture by myself must be used only for my personal private study, and must not be reproduced, passed on, or made available to any third party.
3. I agree to delete the recordings once they are no longer needed.

I acknowledge and agree to the terms and conditions of this agreement.

Student Name: _____

Signed: _____

Date: _____ **Course and Section Number:** _____

Note Taker Agreement for Students

Note-Taker Agreement for Students

Requesting a Note-Taker

1. The Student must provide the Note-Taking Coordinator with a copy of his or her class schedule indicating which classes they will need note-taking services as soon as possible for each semester.
2. ARC will notify the Student’s professor(s) that he or she requires a Note-Taker for each specified class. Each professor will make an announcement in class or via e-mail to students, asking those interested to apply in person at the ARC. If no announcement is made, it is the student’s responsibility to inform the ARC.

Once a Note-Taker is Secured

1. ARC will hire a peer in each specified class to take and submit lecture notes for the Student’s use. This Note-Taker contractually agrees to arrive to class on time, remain alert, and supply neat, accurate notes to the ARC. The Note-Taker will provide the notes directly to ARC. It is not necessary for the student and Note-Taker to interact. However, the Student may choose to interact with the Note-Taker, if desired.
2. It is the Student’s responsibility to contact the Note-Taking Coordinator if he or she feels there is a problem with note quality, legibility, or timeliness.
3. The Note-Taker will submit lecture notes to the ARC within 24 hours of the class period. The notes will be typed or legibly written and, once received, posted on UNM e-Reserves for the Student to view. Information on accessing notes on e-Reserves is provided below.

To retrieve lecture notes from eReserves:

1. From your internet browser, go to ereserves.unm.edu . Click on the link stating “Students, start here to find ELECTRONIC Reserves”.
2. Click on the “course pages by Department” tab. Under “Please select department,” go to Accessibility Resource Center and click Search.
3. In the Course Number column, click on the link containing your course number and section.
4. Enter the course page password and click Accept. The password will be e-mailed to you before the beginning of each term.
5. On the Documents tab, click on the date for which you wish to view notes.
6. To receive automatic emails when notes are uploaded click on the “Course Info” tab and click on “Email Alerts”

By signing below, I state that I understand and agree to the above conditions.

Student Signature

Date

Office of Accessibility Resource Center

Date

Appendix xiv
Electronic Text Agreement

ELECTRONIC TEXT AGREEMENT

Student Name: _____

Lobo ID#: _____

By signing this agreement, the University of New Mexico Accessibility Resource Center (ARC) agrees to provide the following services:

1. ARC will determine if you qualify as having a disability and are eligible for alternative formats of copyrighted materials.
2. ARC will provide electronic text access and support for classes throughout the period you are enrolled at the University of New Mexico.

By signing this agreement, you agree to the following conditions:

1. You must qualify to use alternative formats as determined by your Program Specialist.
2. You must own a physical copy of the text needed in alternative format and provide ARC with a copy of your receipt.
3. You must provide all materials for conversion to our office, i.e., books, course packets, in class handouts.
4. You must currently be registered as a student at the University of New Mexico and with ARC.
5. You must turn in a copy of your syllabus for the class in which you need the textbook before you will be provided with the converted materials.
6. Copyrighted electronic texts will only be available during the semester for which you are registered for that class.
7. You will not revise, convert, disassemble, modify, sell, license, rent, loan or otherwise distribute the electronic text we provide to any other person.
8. You agree to pick up converted materials in a timely manner or services may be suspended until you meet with a Program Specialist.

By their signatures, the University of New Mexico Accessibility Resource Center and the student agree to the above conditions.

Student Signature

Date

Accessibility Resource Center

Date

Interpreter Agreement
Terms of Employment with UNM Accessibility Resource Center

Upon being hired as a Signed Language Interpreter for the University of New Mexico
I, _____, agree to abide by the following:

- The Registry of Interpreters for the Deaf (RID) Code of Professional Conduct:
 1. Interpreters adhere to standards of confidential communication.
 2. Interpreters possess the professional skills and knowledge required for the specific interpreting situation.
 3. Interpreters conduct themselves in a manner appropriate to the specific interpreting situation.
 4. Interpreters demonstrate respect for consumers.
 5. Interpreters demonstrate respect for colleagues, interns, and students of the profession.
 6. Interpreters maintain ethical business practices.
 7. Interpreters engage in professional development.

- I recognize that from the time I arrive at the University campus or assignment setting until the time I leave, I am viewed as an employee of UNM and my behavior must, at all times, reflect the professionalism expected from an employee. I will conduct myself as a professional at all times while at UNM.
- I understand that I am expected to arrive to an assignment with enough time to deal with traffic issues, finding a parking space, finding the room, arranging seating and sitting down before the assignment begins.
- In the event of a student no-show, I understand that after I have waited the appropriate amount of time, I am free to leave the assignment. However, any delay in reporting the student no-show to DHHS may result in loss of payment.
- I have read the Interpreter Handbook and agree to adhere to all the policies and procedures outlined in that handbook.

By signing this form I understand that I am responsible for and agree to all of the above.

Interpreter Signature: _____ Date: _____

Staff Signature: _____ Date: _____

White copy- Office

Yellow copy- Interpreter

Appendix xvi

Student Testing Agreement

STUDENT TESTING AGREEMENT

Accessibility Resource Center

277-1510

SCHEDULING

- To schedule exams contact Testing at Accessibility Resource Center at least 5 business days (one week) in advance of your scheduled test date. Students may schedule exams three ways:
 - In- person
 - Email arcstaff@unm.edu
 - Phone 277-1510 (leaving a message is acceptable).

Please expect a response to your email or phone message (to ensure we received it).

- Class schedules must be submitted each semester before services are initiated.
- All exams must be scheduled and completed during testing center hours: Fall/Spring: Monday- Thursday 7:30 am- 6:45 pm and Friday 7:30am-5:45 pm. Summer: 7:00am-5:45 pm.
- Please allow yourself enough time to complete the exam. It is your responsibility to notify your employer if your accommodations will cause tardiness to work.
- Accessibility Resource Center requires you receive permission from your instructor for exams scheduled at a time different from the regular class time unless your extended time accommodation interferes with another class.
- Notifying your instructors of your need to take an exam with Accessibility Resource Center does not remove your responsibility from scheduling the exam with our office directly. Scheduling exams with Accessibility Resource Center is your responsibility.
- Please remind Accessibility Resource Center of your need for assistive technology when scheduling your exam.
- Reschedules: Please notify Accessibility Resource Center of any rescheduling with one week notice or as soon as you are notified by your instructor of the change.
- Cancellations: Please notify Accessibility Resource Center prior to the exam start time.
- Any exceptions must be approved by the Director of Accessibility Resource Center.

TESTING

- Your exam should be scheduled at the same time the class is scheduled, you may not change the date or time without your instructor's written permission. If any changes are needed, please call 277-1510 as soon as possible. It is your responsibility to reschedule exams.
- Be on time for your scheduled exam. Call 277-1510 if you are going to be late. If you are more than thirty (30) minutes late, your exam will be cancelled and returned to your instructor. No additional time is granted for tardiness.
- Make-up exams must have written approval from your instructor before scheduling a make-up exam.
- Accessibility Resource Center accepts responsibility for late exam starts due to procedural or personnel difficulties and will ensure the student receives their full time for the exam.

ONLINE EXAMS

- To schedule extended time for an online exam please have the following information available: How long will the exam be open for the class (Friday, 10:00-10:50 or Friday 8:00-Sunday, 12:00)? Will the class be proctored (or can students take the exam anywhere)? You can call, come in, or email your request for extended time.
- Please open and look at your exam as soon as it becomes available to ensure your accommodation is in place, even if you are not intending to take the exam at that time.
- If there are any questions or concerns when you open your online exam, please email your instructor with the concern and include the testing center in your email.

TESTING ENVIRONMENT

Accessibility Resource Center maintains the integrity of the testing environment in the following ways:

- Security cameras monitor and record all testing rooms.
- The following items are not permitted in the testing rooms: cell phones, iPods, book bags, briefcases, and/or purses. A secure location is provided for storage.
- Assistive technology (needed for testing) is provided by the testing center. The instructor must approve books, notes, and/or other assistive devices.
- Testing center staff are not able to answer questions related to the exam content. If necessary, students may call their instructor for clarification from the testing center office or we will email your instructor on your behalf.
- You may not leave the testing center once the exam has started. There are water fountains/restrooms in the testing center. Turn in all exam materials prior to leaving the testing area.

.....
I have read and understand the student testing agreement.

STUDENT SIGNATURE

DATE

ARC STAFF SIGNATURE

DATE

Appendix xvii
Visual Cue Card Agreement

Student Visual Cue (*Note Card*) Agreement
The University of New Mexico
Accessibility Resource Center

Student Name: _____ Lobo ID#: _____

Test accommodations are provided to students with a documented disability in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act Amendments Act of 2008. In certain cases during an exam, a student's documentation warrants use of a note- card, which specifically does NOT contain answers. The use of a note card cannot alter the fundamental elements of the exam.

Student Responsibilities and Procedures

1. Either the student or the program specialist will talk with the instructor very early in the course about using a note card in exams that are otherwise closed-book exams. Indication of a student's preference on how to initiate this accommodation will be in effect each semester unless the student notifies ARC of a change to the procedure.
2. The student will complete a 3x5 note card and make arrangements with their instructor(s) to review the 3x5 note card prior to the test date.
3. The student will ask the instructor(s) to initial the 3x5 note card prior to taking the exam with the testing center at ARC.

Consequences for not following the above procedure will result in not being able to use a note- card during the examination, test, etc.

Note: If the instructor informs the student that he or she will not be allowed the use of a note card, the student can ask ARC to discuss the request with the instructor. If the student is dissatisfied with the decision about use of a note card, the student has the right to an appeal under UNM Business Policy 2310.

Student Signature: _____ **Date:** _____

_____ I prefer to contact faculty to discuss this accommodation.

_____ I prefer my program specialist contact faculty to discuss this accommodation.

ARC Staff Signature: _____ **Date:** _____

Administrative Policies and Procedures Manual - Policy 2295: Service Animals

Date Originally Issued: 01-01-2012

Revised: 05-15-2015

Authorized by: UNM Regents' Policy 3.1 "Responsibilities of the President"

Process Owner: Director of Office of Equal Opportunity

1. General

In keeping with federal and state law, the University of New Mexico recognizes its responsibilities to extend equal access to individuals with disabilities who use a Service Animal on University property. The University will not discriminate against individuals with disabilities who use Service Animals nor, subject to the terms of this Policy, deny those persons access to programs, services and facilities of the University. This policy applies to individuals with disabilities and Service Animals as defined in federal law.

In some cases, Assistance Animals that do not qualify as Service Animals may be permitted in UNM Student Housing if shown to be necessary to afford a student with a documented disability an equal opportunity to use and enjoy UNM Student Housing.

1.1. Service Animal

A service animal means any dog or other animal, except as otherwise specified, that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the handler's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. Therefore, comfort or companion animals are not Service Animals. For safety and infection control purposes, Service Animals shall not include nonhuman primates, birds, amphibians, reptiles, fish, hedgehogs, prairie dogs, cats or rodents.

1.2. Assistance Animal

An Assistance Animal means any animal that provides emotional support, comfort, or therapy that alleviates one or more identified symptoms or effects associated with its owner's disability. Unlike a Service Animal, an Assistance Animal need not be individually trained or certified to perform any disability-related task. Assistance Animals are

sometimes referred to as therapy, comfort, companion, or emotional support animals. Generally, Assistance Animals are not permitted in classrooms or in public areas on campus. In some circumstances, a student with a disability may be allowed to have an Assistance Animal within UNM Student Housing with prior approval. See Section 6.1 for more information on Assistance Animals in UNM Student Housing.

2. Applicability

This policy applies to all employees, students, and visitors of the University who qualify to use a Service Animal as an accommodation. To deem that a Service Animal is a reasonable accommodation, the following criteria must be met:

- the individual must have a disability as defined under federal law;
- the animal must meet the definition of Service Animal under federal law and serve a function directly related to the disability; and
- the request to have the animal must be reasonable.

A Service Animal shall be permitted in any area of the University that is unrestricted (not off limits to Service Animals due to codes or regulations) to employees, students or visitors provided that the Service Animal does not pose a direct threat, as defined in Section 2.1. herein and that the presence of the Service Animal would not require a fundamental alteration of UNM policies, practices, or procedures. A person with a disability who uses a Service Animal on University property shall not be required to pay a surcharge. Any decision to exclude a Service Animal from a particular area of the University shall be made on a case-by-case basis. The University will take appropriate action to address violations of this policy, up to and including disciplinary action or removal from University property.

2.1. Direct Threat

A direct threat is a significant risk to the health or safety of others that cannot be eliminated or mitigated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services. If the University determines that a Service Animal poses a direct threat to the health or safety of others in a building or portion thereof, access to the facility by the Service Animal will be denied. In determining whether a Service Animal poses a direct threat to the health or safety of others, the University shall make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to identify:

- the nature, duration, and severity of the risk;
- the probability that the potential injury will actually occur; and
- if there are reasonable modifications of policies, practices, or procedures that will mitigate the risk.

3. Inquiries by University Employees

A Service Animal must be trained to provide specific support services to the individual with a disability. Generally, when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., a dog is observed guiding an individual who is blind or has low vision or pulling a person's wheelchair), UNM employees should not make otherwise allowable inquiries. If it is not readily apparent, University employees shall not ask about the nature or extent of the individual's disability, but may ask if the animal is required because of a disability and what work or task the animal has been trained to perform. University employees cannot ask for documentation, such as proof that the animal has been certified, trained or licensed as a Service Animal. For University programs or classes held at non-UNM facilities, the owner of the property may require notification or verification of the Service Animal.

4. Responsibilities for the Care and Supervision of Service Animals

Individuals with Service Animals are responsible for managing and handling their Service Animals at all times while on University property, maintaining proper infection control measures, and are responsible for the behavior and activities of the animal. Individuals are personally responsible for any damages to a facility caused by their Service Animals, including if the individuals are UNM students whose Service Animals have caused damage in a residence hall or classroom. Service Animals on University property must be:

- licensed in accordance with applicable state, county, or local laws or ordinances pertaining to the type of Service Animal;
- in good health and well groomed;
- housebroken (the individual with the disability is responsible for the proper disposition of any Service Animal accidental waste); and
- harnessed, leashed, or otherwise under the control of the individual with a disability (e.g., voice control, signals, or other effective means) such that the Service Animal does not disrupt or interfere with the ability of other users of the space or activity.

5. Removal of Service Animal

An individual with a disability cannot be asked to remove his or her Service Animal from the premises unless the animal poses a direct threat to the health or safety of others or the Service Animal or individual fails to meet one or more of the requirements of this policy or federal laws and regulations. A history of allergies or fear of animals are generally not valid reasons for denying access or refusing service to individuals with Service Animals; however all

situations will be evaluated on a case-by-case basis. If after careful evaluation removal is necessary, University employees should consider an alternative option for the individual to obtain the goods and/or services.

6. Students

A student may bring a Service Animal into a UNM classroom, laboratory, or other learning environment. Students using Service Animals are encouraged to register with [UNM Accessibility Resource Center](#) and follow the procedures established by that office for obtaining academic adjustments.

6.1. UNM Student Housing

UNM Student Housing, including Student Family Housing, is subject to the federal Fair Housing Act which extends accommodation to Assistance Animals as well as Service Animals.

A student seeking to reside in UNM Student Housing with a Service Animal or Assistance Animal not otherwise permitted under the UNM Student Housing no-pets policy must meet the following criteria:

- the student has a disability under federal law and the University is made aware of the disability;
- the Service or Assistance Animal is necessary to afford the student an equal opportunity to use UNM Housing;
- there is a direct relationship between the student's disability and the assistance the Service or Assistance Animal provides; and
- the request to have the Service or Assistance Animal is reasonable.

In order to receive approval to reside in UNM Student Housing with a Service Animal or Assistance Animal under this policy, a student is required to complete the following before the Service Animal or Assistance Animal may enter the University residence halls:

1. Register with [UNM Accessibility Resource Center](#) and follow the procedures established by that office for obtaining academic adjustments.
2. Register with and receive written approval from UNM Residence Life and Student Housing. Initiate the process by contacting UNM Residence Life and Student Housing in Student Residence Center Commons room 212 or at 277-2383.

A student who is permitted to have an Assistance Animal in UNM Student Housing is responsible for the care and supervision of the Assistance Animal. Additionally, an Assistance Animal may be removed from UNM Student Housing if it is out of control and effective action is not taken to control it, it is not housebroken, or it poses a direct threat to the health or safety of others.

7. *American with Disabilities Act (ADA) Coordinator*

Additional guidance for assisting individuals with Service Animals can be obtained from the links listed below. Any person dissatisfied with a decision concerning a Service Animal can contact the Americans with Disabilities Act (ADA) Coordinator for The University of New Mexico. The University's ADA Coordinator is the Director of the Office of Equal Opportunity. The University's ADA Coordinator will collaborate with the Vice President for Equity and Inclusion, the Director of the Accessibility Resources Center, as well as other appropriate University resources to address individual concerns.

Annual/Sick Leave Request Form

ANNUAL/SICK LEAVE REQUEST

I am requesting (check one):

_____ ANNUAL LEAVE *

_____ SICK LEAVE **

DATE(S) OF ANNUAL LEAVE:

DATE(S) OF SICK LEAVE:

TOTAL HOURS: _____

TOTAL HOURS: _____

EMPLOYEE SIGNATURE

PRINT NAME

DATE

The following person has been appointed to act in my absence during this period:

_____ Phone: _____

.....
FOR OFFICE USE ONLY:

Approved

Not Approved

(Date & Signature)

(Date & Signature)

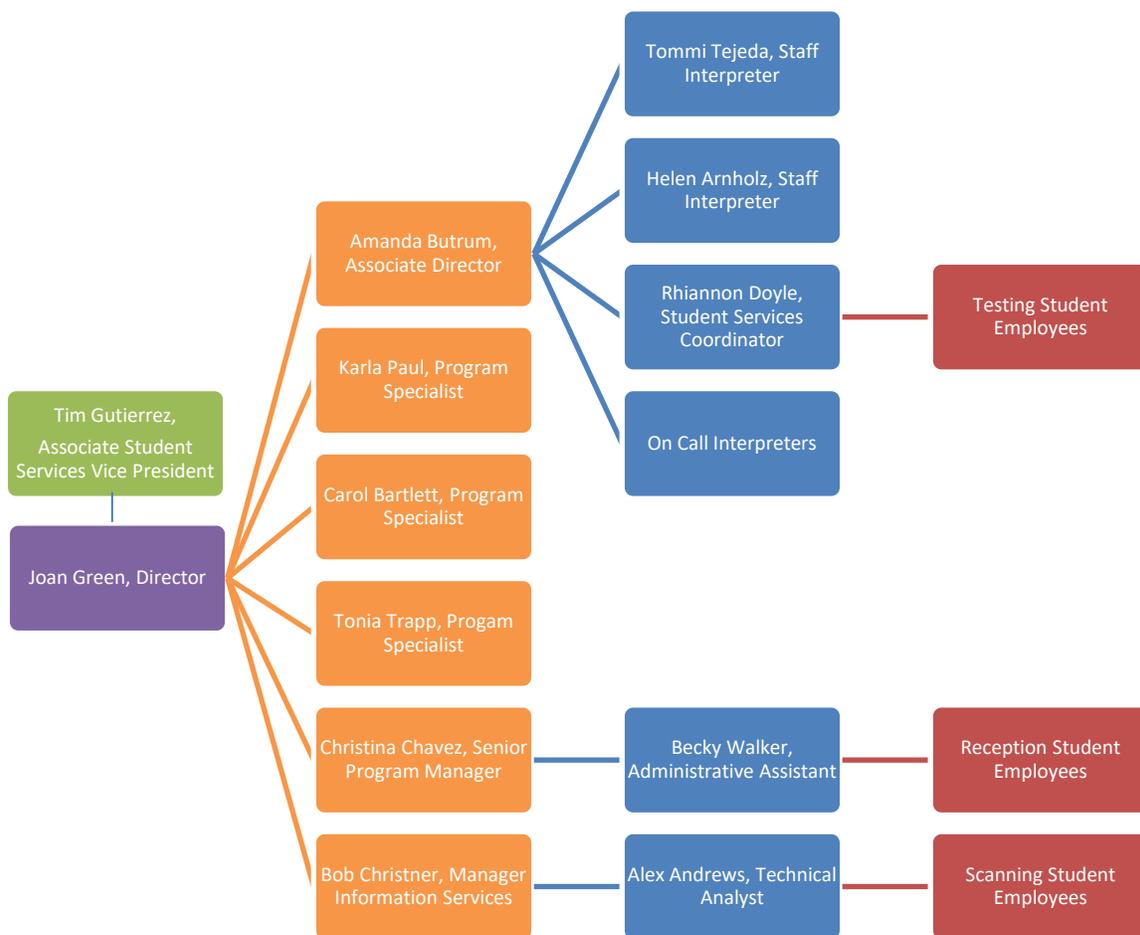
.....
Please Note:

* Submit Annual Leave request at least 5 working days prior to planned time off.

**Submit Sick Leave request upon return to work.

PLEASE RETAIN A FINAL SIGNATURE COPY FOR YOUR RECORDS

Appendix xx Organization Chart



Appendix xxi

Deaf/HOH Student No Show Policy

Deaf/HOH Student No Show Policy

What is a No-show? A student will receive a no-show when they are absent without notifying DHHS to cancel their interpreting or captioning services at least two hours before the beginning of their class.

Avoiding a no-show

To avoid a “no-show,” you must call DHHS. It is not necessary to give a reason for the absence.

You can contact DHHS 24 hours a day:
dhhs@unm.edu or 277-6605

You **MUST** call at least two hours before the class starts.

When calling DHHS to report an absence please include:

Name of class (for example: Math 110)

Class time and day (8:00am to 8:50am)

Name of interpreter (it would be helpful if you can remember)

Absence

If you plan to be late for class, please notify the Program Specialist or DHHS so we can instruct the interpreter to wait for you. The interpreters have been instructed to wait **ONLY** 10 minutes per hour of class time. If you do not arrive within that time frame, the interpreter will notify DHHS of your absence and fill out a "no-show" form that will be placed in your file.

It is the student's responsibility to notify DHHS to cancel interpreter services at least 2 hours in advance when:

You plan to miss class

Room, day, or time of class is changed

You are adding or dropping a class

You are canceling any other activity for which an interpreter/captionist was requested

When you know you will be absent from class, notify the office immediately. If you are sick and do not know when you will be well enough to return, the Program Specialist will cancel services. It is the student's responsibility to call to request services be reinstated.

Consequences for a No-Show

If a student is absent from class without notifying DHHS at least 2 hours before the beginning of class, the first two times they will be sent an Absence Notice reminding them to cancel services with DHHS.

If a student is absent a third time from class without notifying DHHS at least 2 hours before the beginning of class, they will be sent an Absence Notice and interpreting services will be suspended. To request to have your interpreter returned, you must call DHHS at least 24 hours before your class begins. Service for that specific class will resume.

If a student is absent a fourth time from class without notifying DHHS at least 2 hours before the beginning of class, they will be sent an Absence Notice and interpreting services will again be suspended. It is the student's responsibility to arrange a "Return of Interpreting Services" meeting with the Program Specialist to discuss the reinstatement of service. Service for that specific class will resume.

If a student is absent a fifth time from class without notifying DHHS at least 2 hours before the beginning of class, they will be sent a notice canceling their interpreting services. It is the student's responsibility to arrange a "Return of Interpreting Services" meeting with the Program Specialist and Director of Accessibility Resource Center to discuss the reinstatement of service. Service for that specific class will resume based on the student's "special request" for the class on a weekly basis.

Student Agreement Form

Deaf and Hard of Hearing Services

dhhs@unm.edu / 277-6605 v/tty

It is the student's responsibility to be aware of the policies and procedures of DHHS. Please read the following and sign your name in the space below.

- The transcripts/notes I receive from my captionist/notetaker are for my academic use only. I may not share the notes.
- I must request an interpreter or captionist in a timely manner.
- I understand that all questions and comments will be directed to the professor, not the interpreter. I also understand that the interpreters will sign and voice every question and comment made during class.
- The interpreter/captionists will only wait for me for 25 minutes per hour. If I do not show up, a reminder about the no-show policy will be sent to me.
- If I am absent a fourth time from class without notifying DHHS prior to the beginning of class, the interpreter/captionist will be suspended.
- If I am absent a fifth time from class without notifying prior to the beginning of class, the interpreter/captionist will be cancelled.
- If my interpreter/captionist are suspended or cancelled, I understand that it is my responsibility to arrange a meeting with the Associate Director to discuss the reinstatement of the interpreter/captionist.

By signing this policy I understand that I am responsible for the above policies and procedures, as well as the procedures outlined in the Student Handbook.

Student Signature: _____ Date: _____

DHHS Staff Signature: _____ Date: _____

Please send a letter informing my professor about my accommodations:

Please Initial: Yes _____ No _____

Welcome

Welcome to UNM!

You are an important part of Deaf and Hard of Hearing Services/ Accessibility Resource Center (DHHS/ARC). As a professional Sign Language Interpreter you provide vital services to students who are Deaf or hard of hearing at UNM. With this position comes a responsibility both to the student and to DHHS/ARC. These guidelines will outline what is expected of you and what you can expect from DHHS/ARC. They are not meant to cover every situation you may encounter but to give you basic information necessary to complete your work. It is hoped these guidelines will benefit students, staff, and Sign Language Interpreters to the fullest.

All interpreters employed at UNM are to follow the Code of Professional Conduct issued by the National Registry of Interpreters for the Deaf.

Mission Statement

Accessibility Resource Center (ARC) recognizes individuals with disabilities as an integral part of a diverse community and is committed to the provision of comprehensive resources to the University community (faculty, staff, and student) in order to create equitable, inclusive, and practical learning environments.

Contact Information

Office Hours: Monday through Thursday 7:30am-7:00pm
 Fridays: 7:30am-6:00pm
 Semester breaks 7:30am-5:00pm

DHHS General number: 277-6605 or 277-3506
DHHS email: dhhs@unm.edu
Website: <http://arc.unm.edu/dhhs>

Staff

Amanda Butrum, Associate Director
Office phone: 277-2698 Email: ajbutrum@unm.edu

Helen Arenholz, Staff Interpreter
Office phone: 277-6605 Email: helenarn@unm.edu

Tommi Tejada, Staff Interpreter
Office phone: 277-6605 Email: tommilin@unm.edu

Interpreter Job Descriptions

All Sign Language interpreters are required to have a current Interpreter License in order to work as per New Mexico state law.

Associate Director: Works with faculty, staff, and students to ensure that Deaf and hard of hearing persons have equal access to all programs offered at UNM. In addition, coordinates interpreters, and oversees all academic accommodation offered to Deaf and hard of hearing students. Academic accommodations include, but are not limited to: signed language interpreting, real time captioning, notetaking, and assistive listening devices.

Staff Interpreters: Deaf and Hard of Hearing Services has two staff interpreter positions. Staff interpreters are permanent employees of UNM. They interpret for classes, meetings, and other workshops or events offered by UNM. In addition, they provide mentoring for newly hired or recently graduated on-call Interpreters and to the Signed Language Interpreter Training Program's practicum students.

Certified Signed Language Interpreter: These positions are "On-Call Employees" of UNM and work as needed. There are no guaranteed hours and you can only work a maximum of 1020 hours annually. Interpreters in these

positions are certified and interpret for classes, meetings, and other workshops or events offered by UNM that cannot fit into the staff interpreter schedules.

Pre-Certified Signed Language Interpreter: These positions are "On-Call Employees" of UNM and work as needed. There are no guaranteed hours and you can only work a maximum of 1020 hours annually. Pre-certified interpreters must be candidates for certification and are in placed in carefully chosen interpreting assignments when deemed appropriate.

Pay Scale

- Signed Language Interpreter A - \$30.00 per hour
- Signed Language Interpreter B - \$35.00 per hour
- Signed Language Interpreter C - \$40.00 per hour
- Pre-certified Signed Language Interpreter - \$20.00 per hour

2 Hour-Minimum

If an interpreter is asked to accept an assignment that is less than 2 hours in length and it is the only assignment that you will have for that day you may claim 2 hours on your time sheet. This will hold true if the reason for not having more than one class is due to scheduling and not to conflicts with your availability.

Cancellations

If an assignment is cancelled with less than 24 hours notice you will be paid for the class. In the event of a student no-show, wait the appropriate amount of time (30 minute per hour of class time). Once you have done that, you are free to leave the assignment. However, you must email or call DHHS immediately to report the no-show. Any delay in reporting the student no-show to DHHS may result in loss of payment.

Examples of how much time to wait:

- 50 minute class – wait 25 minutes
- 1 hour & 15 minute class – wait 40 minutes
- 2 hour class – wait 1 hour
- 2.5 hour class – wait 1 hour & 15 minutes

Professionalism in Classroom

There is sometimes a fine line between what is appropriate and what is not. If a professor asks you to do something and you don't feel comfortable doing it you must consider whether or not it would be best to talk to the professor now or just comply and talk with the professor after class. The important thing is that we are able to develop a working rapport with our consumers (hearing and deaf) and colleagues while maintaining professionalism. If you ever have any questions regarding professional behavior in the classroom, please do not hesitate to ask DHHS.

Here is a list of some examples of the things that interpreters should avoid doing:

- Interpreters filling out an evaluation of professors form meant for students
- Interpreters participating in the class (e.g. raising their hand to answer questions)
- Interpreters showing up late and making an entrance
- Interpreters asking students if they did their homework
- Interpreters not interpreting student's questions or comments

First Day/Week of class

The first day of class you should plan on arriving early in order to introduce yourself to the student and the professor. With the student's permission, a letter will have been sent to the professor, prior to the first day of class, explaining the interpreting process, but you still may want to give a brief explanation about your role as the interpreter.

Probationary Period for Students and Interpreters

The first three weeks of each semester is considered a probationary period during which time the Deaf/hard of hearing student can determine whether the interpreter assigned to the class meets his or her communication needs. Should the student feel her/his needs are not being met, s/he will need to contact the Associate Director to discuss assigning a new interpreter.

Should the interpreter feel that an assignment is inappropriate, either because it does not match that interpreter's skill level or because the interpreter feels s/he lacks knowledge or familiarity with the subject matter, s/he needs to notify the Associate Director to discuss assigning a replacement interpreter. The Deaf/hard of hearing student will be notified.

After the three week probationary period is up, the interpreter is considered on contract with UNM to provide the assigned service. The interpreter will only be removed from this assignment if the student drops out of the class or if the interpreter performs a gross breach of the RID Code of Professional Conduct or another standard of behavior for UNM employees.

Procedures

Absence

Please notify DHHS as soon as you know you will be absent. Due to the nature of your job, if you are not there in class to interpret it will impact the student's ability to participate fully in their class. It is vital that you contact DHHS immediately so a substitute interpreter can be arranged. It is always easier to find a substitute the day before the class instead of the morning of the class. Unfortunately, we do not always know that we will be sick. However, if you feel ill, it is best to contact DHHS during business hours as soon as possible to arrange for a substitute right away rather than waiting until the last minute.

- ❖ In cases other than illness, please notify DHHS as soon as possible when you are unable to interpret for an assignment. Failure to do so will result in a "no-show." Two "no-shows" will result in the interpreter's dismissal.
- ❖ In cases of illness, please call DHHS as soon as possible. It is your responsibility to notify DHHS of your illness by 8:00 a.m. of the day you need a sub.
- ❖ Repeated absences without prior approval or repeated last-minute cancellations will be documented.
- ❖ Please inform DHHS if there are any classroom changes in your assignment. This assists us when scheduling a substitute interpreter.

Punctuality

Professional interpreters are expected to arrive with enough time to deal with traffic, find parking, find the room, arrange seating and sit down before the assignment begins. During the first week of class, this is especially important so that you may introduce yourself to the professor and the student and arrange seating for yourself. If you cannot make it to class on time regularly, then you need to excuse yourself from that class. Note your tardiness on your timesheet. If you are more than 10 minutes late you should subtract .25 hours from your timesheet; 30 minutes late subtract .5 hours and so on. You should always be punctual for class. Repeated tardiness will result in dismissal.

Dress Code

Why have a dress code? Imagine you just attended an all day workshop presentation in Sign language. How do your eyes feel? Now, put yourself in the student's shoes. When a Deaf or hard of hearing student has to watch an interpreter for any length of time their eyes become tired. The reason interpreters traditionally wear solid colors that contrast with their skin tone is to reduce the eye fatigue of our clients. Patterns are distracting and bright colors reflect light which make the eyes tire faster.

What is UNM's interpreter dress code? Casual business attire in muted colors that contrast with your skin tone is essential. Remember, your behavior and appearance in the classroom reflects on the students, DHHS, and academic interpreters in general. It is important to use good judgment while dressing for work. If the class you are interpreting has specific dress requirements please follow those guidelines. They are there for your safety. We understand that you may have to go from one class to another and their dress requirements may not be the same. Do the best you can. Here are some general guidelines:

Shirts/Tops - Solid shirt/blouse that contrasts with your skin tone. No low cut necklines. No loud colored print or solid shirts (bright red, yellow, magenta, green e.g.). No t-shirts or sweatshirts.

Pants/Skirts - Please wear nice work pants/skirts. No ragged or worn jeans. No mini-skirts or skirts with high slits. Shorts are permitted in summer for PE classes and occasionally for classes in rooms without air conditioning. Shorts should be an appropriate length for work.

Jewelry - Limited jewelry, nothing flashy. Reflected light and movement are visually distracting. No more than one ring per hand, earrings should not dangle, and necklaces should not interfere with signing.

Grooming - Be professional and neat. Hair should be out of the face. Men should be clean-shaven or with facial

hair short and well-trimmed. Nails - Any color used should be neutral and match your skin tone. Nails should not be so long that they affect the shape of your signs or make clicking noises.

Team Interpreting

Taken from the *RID Teaming Standard Practice Paper, 2007*

Team interpreting is the utilization of two or more interpreters who support each other to meet the needs of a particular communication situation. Depending on both the needs of the participants and agreement between the interpreters, responsibilities of the individual team members can be rotated and feedback may be exchanged.

The decision to use a team rather than an individual interpreter is based on a number of factors, including, but not limited to:

- length and/or complexity of the assignment,
- unique needs of the persons being served,
- physical and emotional dynamics of the setting,
- avoidance of repetitive stress injuries (RSIs) for interpreters.

The Team Process

All team members are actively engaged in the process. They may be providing direct interpretation services, actively working between the two languages or functioning in a supporting role. This support is necessary to enhance the team's performance and assure accurate communication takes place and may include:

- monitoring the overall setting
- assuring appropriate and timely transitions
- supporting/cueing other team members as needed.

At times, more than one team of interpreters may be needed. Some factors determining the number of interpreters needed are:

- size of the audience
- setting
- communication preferences of presenter(s) and audience type and interactivity of presentation
- special communication needs of those in attendance (including, but not limited to, the need for tactile, oral or close visual range interpretation)
- dynamics of the scheduled events (concurrent sessions, off site tours, etc.)

When two or more interpreters are working together, the team will need a sufficient amount of time prior to the assignment to determine placement, roles and how to provide support to each other.

Prep-time Guidelines

On-call interpreters are able to schedule prep-time as needed for specific classes at UNM. All prep-time must be requested and then approved by the Associate Director for DHHS by the third week of the semester. Any prep-time appearing on a time sheet that is not pre-approved will not be paid.

Prep-time is to be used:

- reviewing signs to be used for class-specific vocabulary
- reading the assignments in order to appropriately interpret the classroom lectures
- meeting with your team to discuss sign choices and course material
- previewing videos
- In the event that the subject matter in the classroom is such that the interpreter needs to read the assignments, the interpreter will need to first ask the professor if they have a desk copy of the book that they can borrow. If they do not, then DHHS will purchase the text books and loan them to the interpreters.

At the end of the semester, please return any borrowed books so that they may be added to the DHHS library for use by future interpreters or returned to the UNM Book Store for a refund.

- Defer to the student(s) for their sign choices for vocabulary and concepts.
- If an interpreter needs to view a video prior to a class/event the DHHS office will provide the interpreter with a room and the necessary equipment.
- On-call interpreters scheduled for assignments lasting less than two hours need to use the balance of their two hour minimum to prepare for the assignment. Additional prep-time must be approved by the Associate Director.
- On-call interpreters scheduled for one-hour classes separated by a single hour-long break are to use their break as time to prepare for an assignment. Additional prep-time must be approved by the Associate Director.

It is expected that interpreters will adhere to Tenet number 2.0 - Professionalism of the RID Code of Professional Conduct when preparing for both classroom and non-classroom assignments at UNM. By providing prep-time, DHHS is building in time for the interpreter to understand concepts and vocabulary used during lectures thus being able to “render the message faithfully by conveying the content and spirit of what is being communicated...” (RID Code of Professional Conduct, pp. 3)

Timesheet Instructions

DHHS will email a reminder when timesheets are due. The email will include directions and dues dates. Pay periods are every two weeks. Please remember to:

- Email the completed time sheet to astime@unm.edu
- Make sure you attach the time sheet to the email

RID Code of Professional Conduct

Tenets

1. Interpreters adhere to standards of confidential communication.
2. Interpreters possess the professional skills and knowledge required for the specific interpreting situation.
3. Interpreters conduct themselves in a manner appropriate to the specific interpreting situation.
4. Interpreters demonstrate respect for consumers.
5. Interpreters demonstrate respect for colleagues, interns, and students of the profession.
6. Interpreters maintain ethical business practices.
7. Interpreters engage in professional development.

1.0 CONFIDENTIALITY

Tenet: Interpreters adhere to standards of confidential communication.

Guiding Principle: Interpreters hold a position of trust in their role as linguistic and cultural facilitators of communication. Confidentiality is highly valued by consumers and is essential to protecting all involved. Each interpreting situation (e.g., elementary, secondary, and post-secondary education, legal, medical, mental health) has a standard of confidentiality. Under the reasonable interpreter standard, professional interpreters are expected to know the general requirements and applicability of various levels of confidentiality. Exceptions to confidentiality include, for example, federal and state laws requiring mandatory reporting of abuse or threats of suicide, or responding to subpoenas. supervisors, interpreter team members, members of the educational team, hiring entities).

2.0 PROFESSIONALISM

Tenet: Interpreters possess the professional skills and knowledge required for the specific interpreting situation.

Guiding Principle: Interpreters are expected to stay abreast of evolving language use and trends in the profession of interpreting as well as in the American Deaf community. Interpreters accept assignments using discretion with regard to skill, communication mode, setting, and consumer needs. Interpreters possess knowledge of American Deaf culture and deafness-related resources.

3.0 CONDUCT

Tenet: Interpreters conduct themselves in a manner appropriate to the specific interpreting situation.

Guiding Principle: Interpreters are expected to present themselves appropriately in demeanor and appearance. They avoid situations that result in conflicting roles or perceived or actual conflicts of interest.

4.0 RESPECT FOR CONSUMERS

Tenet: Interpreters demonstrate respect for consumers.

Guiding Principle: Interpreters are expected to honor consumer preferences in selection of interpreters and interpreting dynamics, while recognizing the realities of qualifications, availability, and situation.

5.0 RESPECT FOR COLLEAGUES

Tenet: Interpreters demonstrate respect for colleagues, interns and students of the profession.

Guiding Principle: Interpreters are expected to collaborate with colleagues to foster the delivery of effective interpreting services. They also understand that the manner in which they relate to colleagues reflects upon the profession in general.

6.0 BUSINESS PRACTICES

Tenet: Interpreters maintain ethical business practices.

Guiding Principle: Interpreters are expected to conduct their business in a professional manner whether in private practice or in the employ of an agency or other entity. Professional interpreters are entitled to a living wage based on their qualifications and expertise. Interpreters are also entitled to working conditions conducive to effective service delivery.

7.0 PROFESSIONAL DEVELOPMENT

Tenet: Interpreters engage in professional development.

Guiding Principle: Interpreters are expected to foster and maintain interpreting competence and the stature of the profession through ongoing development of knowledge and skills.

Campus Logistics

Parking

- Interpreters will be issued parking permits by DHHS/ARC.
- Interpreters must use these permits only as directed.
- Permits cost DHHS/ARC money and interpreters are responsible for their proper use and can be held liable in the event of misuse (such as resale or loss).
- Parking permits are to be used in conjunction with UNM DHHS interpreting assignments only. If on campus for any reason not related to interpreting for DHHS, interpreters agree not to use the On-Call Parking Permit.
- Please return any unused permits to DHHS at the end of each semester and/or upon the cancelation of the events/classes for which the use of these permits was intended.
- Any lost or stolen parking permits will not be replaced. In the event that you lose your parking permits, you will be responsible for making arrangements for your own parking while working at UNM.

Lobo ID

All UNM employees need to be sure they have a Lobo ID card. This is your official identification card for all UNM campus business.

To get a new Lobo Card:

- Request the authorization memo from DHHS and bring it with you to the Lobo Card Office.
- The Lobo Card Office is located in the lower level in the north end of the Student Union building, room 1077.
- Bring a government-issued form of identification with you, such as your driver's license, passport, or military ID.

Johnson Center

The Johnson Center offers a wide variety of recreational programs available to you, including a fitness center, use of the basketball courts, and a lap pool. There is a nominal cost for on-call interpreters to use Johnson Center. If you are interested in using the Johnson Center, DHHS will provide you with a proof of employment memo.

Student Policies

Student No-Show Policy

What is a No-show? A student will receive a no-show when they are absent without notifying DHHS to cancel their interpreter or captionist before the beginning of their class.

Avoiding a no-show

- To avoid a “no-show,” you must contact DHHS. It is not necessary to give a reason for the absence.
- You can contact DHHS 24 hours a day:
dhhs@unm.edu or 277-6605
- You must call before the class starts.
- When calling DHHS to report an absence please include:
 - 1) Name of class (for example: Math 110)
 - 2) Class time and day (8:00am to 8:50am)
 - 3) Name of interpreter (it would be helpful if you can remember)

If you will be late for class, please notify DHHS so we can instruct the interpreter/ captionist to wait for you. They have been instructed to wait 25 minutes per hour of class time. If you do not arrive within that time frame, the interpreter/captionist will contact DHHS and may be re-assigned for that day.

It is the student's responsibility to notify DHHS to cancel the interpreter/ captionist prior to the start of class if:

- You plan to miss class
- Room, day, or time of class is changed
- You are adding or dropping a class
- You are canceling any other activity for which an interpreter/captionist was requested

When you know you will be absent from class, notify DHHS immediately. If you are sick and do not know when you will be well enough to return, the Associate Director will cancel the interpreter/ captionist. It is the student's responsibility to call to request services be reinstated.

No-Show

1. If a student is absent from class without notifying DHHS/ARC before a class begins they will be emailed a reminder notice about the no-show policy
2. If a student is absent a fourth time from class without notifying DHHS/ARC before the beginning of class, an email will be sent notifying the student that the interpreter will be suspended and a meeting with the program specialist will need to be scheduled.
3. If a student is absent fifth time from class without notifying DHHS/ARC before the beginning of class, an email will be sent notifying the student that the interpreter will be cancelled and a meeting with the program specialist will need to be scheduled
4. If the interpreter is suspended or cancelled, it is the student's responsibility to arrange a meeting with the Program Specialist to discuss the reinstatement of their interpreter accommodation.

Student Agreement Form

Deaf and Hard of Hearing Services

dhhs@unm.edu / 277-6605 v/tty

It is the student's responsibility to be aware of the policies and procedures of DHHS. Please read the following and sign your name in the space below.

- The transcripts/notes I receive from my captionist/notetaker are for my academic use only. I may not share the notes.
- I must request an interpreter or captionist in a timely manner.
- I understand that all questions and comments will be directed to the professor, not the interpreter. I also understand that the interpreters will sign and voice every question and comment made during class.
- The interpreter/captionists will only wait for me for 25 minutes per hour. If I do not show up, a reminder about the no-show policy will be sent to me.
- If I am absent a fourth time from class without notifying DHHS prior to the beginning of class, the interpreter/captionist will be suspended.
- If I am absent a fifth time from class without notifying prior to the beginning of class, the interpreter/captionist will be cancelled.
- If my interpreter/captionist are suspended or cancelled, I understand that it is my responsibility to arrange a meeting with the Associate Director to discuss the reinstatement of the interpreter/captionist.

By signing this policy I understand that I am responsible for the above policies and procedures, as well as the procedures outlined in the Student Handbook.

Student Signature: _____ Date: _____

DHHS Staff Signature: _____ Date: _____

Please send a letter informing my professor about my accommodations:

Please Initial: Yes _____ No _____

Interpreter Agreement **DHHS Terms of Employment**

Upon being hired as a Signed Language Interpreter for the University of New Mexico

I, _____, agree to abide by the following:

- The Registry of Interpreters for the Deaf (RID) Code of Professional Conduct:
 8. Interpreters adhere to standards of confidential communication.
 9. Interpreters possess the professional skills and knowledge required for the specific interpreting situation.
 10. Interpreters conduct themselves in a manner appropriate to the specific interpreting situation.
 11. Interpreters demonstrate respect for consumers.
 12. Interpreters demonstrate respect for colleagues, interns, and students of the profession.
 13. Interpreters maintain ethical business practices.
 14. Interpreters engage in professional development.

- I recognize that from the time I arrive at the University campus or assignment setting until the time I leave, I am viewed as an employee of UNM and my behavior must, at all times, reflect the professionalism expected from an employee. I will conduct myself as a professional at all times while at UNM.
- I understand that I am expected to arrive to an assignment with enough time to deal with traffic issues, finding a parking space, finding the room, arranging seating and sitting down before the assignment begins.
- In the event of a student no-show, I understand that after I have waited the appropriate amount of time, I am free to leave the assignment. However, any delay in reporting the student no-show to DHHS may result in loss of payment.
- I have read the Interpreter Handbook and agree to adhere to all the policies and procedures outlined in that handbook.

By signing this form I understand that I am responsible for and agree to all of the above.

Interpreter Signature: _____ Date: _____

Staff Signature: _____ Date: _____

University of New Mexico
Accessibility Resource Center
Core Curriculum Course Substitutions

The University of New Mexico may allow course substitutions for students receiving Accessibility Resource Center services, based on strong documentation of a weakness related to the disability in a specific area. A student must write a letter of appeal and meet with the student's program specialist from Accessibility Resource Center. The letter of appeal or departmental form should contain at least the following:

- The student's name, address, student identification number, and major.
- A description of request.
- An explanation of the student's disability.
- Rationale for the request.
- Any past history of any previous attempts to complete courses similar to the core curriculum subject.
- Any history of similar requests granted by any college, university or high school.

A letter from Accessibility Resource Center should accompany the student's request verifying the disability, date of initiation of services, and an indication of how long the student has had the disability.

Action by the University

The following outlines the procedure for the implementation of a course substitution.

1. The student's academic advisor will review the student's request.
2. The potential impact on the student's degree and potential substitution course(s) will be determined by the appropriate program.
3. All information will be forwarded to the designee of the College Dean.
4. The Dean's office makes the final determination on the appropriateness of the request.
5. The Dean's office will notify the student in writing of its decision.
6. If they **deny** the request, the student may request reconsideration by the Academic Adjustment Policy Committee by writing another letter and providing any new material the student deems pertinent.
7. If they **deny** the request a second time, they will require the student to meet the University requirement. The Academic Adjustment Policy Committee will notify the student in writing of its decision.
8. If they **approve** the request, the Academic Adjustment Policy Committee will notify the student in writing of its decision.
9. Policy 2310 on academic adjustments for students with disabilities allows for 15 days for a decision to be made.

Meal Plan Exception Policy

Resident students requesting an exception to the meal plan requirement due to financial hardship will be directed to speak with Tim Backes. Tim will discuss the situation with Rudy Simchak and a decision will be made on the request.

Resident students requesting an exception to the meal plan requirement for other reasons will be required to meet with La Posada's executive chef to discuss issues related to dining at that location. If that meeting does not successfully address the student's concerns, the next step in the process would be:

a) If the student is requesting a medical exception, s/he will be required to meet with a representative of the Accessibility Resource Center for an evaluation by their staff. If it is determined that a medical need exists, ARC will notify the LoboCard Office and LCO staff will take appropriate action. If ARC determines that the medical request is not valid, the student will be directed to talk to Rudy Simchak.

b) If the student is not claiming a medical need for the exception, s/he will be directed to Rudy Simchak. If Rudy grants the exception, he will notify the LoboCard Office and LCO staff will take appropriate action. If Rudy is unable to successfully address the student's issue, the student will be directed to Tim Backes. Tim will have the final say on whether an exception is granted and will notify the LoboCard Office of his decision.

Appendix xxvii Campus Elevators

Bldg. #	Building Name	UNM ELEVATOR #	EQUIP. ROOM #	Street Address
010	SCHOLES HALL	A_010_1-E1	Basement No #	1800 ROMA
011	ANTRHROPOLOGY MAXWELL MUSEUM	A_011_1-E1	B30B	500 UNIVERSITY
011	ANTRHROPOLOGY MAXWELL MUSEUM	A_011_1-E2	143 B	500 UNIVERSITY
011	ANTRHROPOLOGY MAXWELL MUSEUM	A_011_1-E3	No Machine Room	500 UNIVERSITY
011	ANTRHROPOLOGY MAXWELL MUSEUM	A_011_1-E2 Not labeled on entrance.	B30	500 UNIVERSITY
014	SCIENCE AND MATHMATICS LEARNING CENTER	A_014_1-E1	300	311 TERRACE ST NE
015	HIBBEN CENTER FOR ARCHAEOLOGY RESEARCH	A_015_1-E1	B15	450 UNIVERSITY
021	CASTETTLER HALL (BIOLOGY)	A_021_1-E1	No #	219 YALE
021	CASTETTLER HALL (BIOLOGY)	A_021_1-E2	No # Basement	219 YALE
021	CASTETTLER HALL (BIOLOGY)	A_021_1-E3	1409	219 YALE
022	CLARK HALL (CHEMISTRY)	A_022_1-E1	B88	300 TERRACE
022	CLARK HALL (CHEMISTRY)	A_022_1-L1	No Mach. Room Lift	300 TERRACE
023	MITCHELL HALL	A_023_1-E1	100	401 YALE
024	NORTHRUP HALL (GEOLOGY)	A_024_1-E1	B15	221 YALE
034	LOGAN HALL (PSYCHOLOGY)	A_034_1-E1	No #	2001 REDONDO
035	REGENER HALL (PHYSICS)	A_035_1-E1	130	1911 REDONDO

035	REGENER HALL (PHYSICS)	A_035_1-E2	131	1911 REDONDO
046	EECE-ELECTRICAL AND COMPUTER ENGINEERING & CENTENNIAL LIBRARY	A_046_1-E1	L250	211 TERRACE
046	EECE-ELECTRICAL AND COMPUTER ENGINEERING & CENTENNIAL LIBRARY	A_046_1-L1	Outside of Material Lift	211 TERRACE
046	EECE-ELECTRICAL AND COMPUTER ENGINEERING & CENTENNIAL LIBRARY	A_046_1-E2	L265	211 TERRACE
046	EECE-ELECTRICAL AND COMPUTER ENGINEERING & CENTENNIAL LIBRARY	A_046_1-E3	L250	211 TERRACE
048	DANE SMITH HALL	A_048_1-E1	111	601 YALE
053	ZIMMERMAN LIBRARY	A_053_1-E4	No #	1900 ROMA
053	ZIMMERMAN LIBRARY	A_053_1-L1		1900 ROMA
053	ZIMMERMAN LIBRARY	A_053_1-E2	No #	1900 ROMA
053	ZIMMERMAN LIBRARY	A_053_1-E3	No #	1900 ROMA
053	ZIMMERMAN LIBRARY	A_053_1-E1	No #	1900 ROMA
055	CTLB-COLLABORATIVE TEACHING LEARNING BUILDING			
056	MESA VISTA HALL	A_056_1-E1	No #	302 CORNELL
056	MESA VISTA HALL	A_056_1-L1	Lift	302 CORNELL
056	MESA VISTA HALL	A_056_1-E2	No #	302 CORNELL
056	MESA VISTA HALL	A_056_1-L2	Lift	302 CORNELL
057	ECONOMICS	A_057_1-E1	No #: Next to elevator 1st floor.	915 ROMA
058	HOKONA Hall	A_058_1-E1	No #	2500 CAMPUS
058	HOKONA Hall	A_058_1-L1	Lift	2500 CAMPUS
058	HOKONA Hall	A_058_1-E2	No #	2500 CAMPUS
058	HOKONA Hall	A_058_1-L2	Lift	2500 CAMPUS
058	HOKONA Hall	A_058_1-E3	?	2500 CAMPUS
059	JOHNSON Center	A_059_1-E1	B119	200 CORNELL
059	JOHNSON Center	A_059_1-E1	B545	200 CORNELL

059	JOHNSON Center	A_059_1-E2	No # Open in the basement (no machine room)	200 CORNELL
060	NEW MEXICO STUDENT UNION BUILDING (SUB)	A_060_1-E1	1059	301 CORNELL
060	NEW MEXICO STUDENT UNION BUILDING (SUB)	A_060_1-E2	1089	301 CORNELL
060	NEW MEXICO STUDENT UNION BUILDING (SUB)	A_060_1-E3	B3	301 CORNELL
060	NEW MEXICO STUDENT UNION BUILDING (SUB)	A_060_1-E4	1001	301 CORNELL
062	CENTER FOR THE ARTS	A_062_1-E1	No #	203 CORNELL
062	CENTER FOR THE ARTS	A_062_1-L1	Lift	203 CORNELL
062	CENTER FOR THE ARTS	A_062_1-E2	No #	203 CORNELL
062	CENTER FOR THE ARTS	A_062_1-L2	Lift	203 CORNELL
062	CENTER FOR THE ARTS	A_062_1-E3	B103	203 CORNELL
062	CENTER FOR THE ARTS	A_062_1-E5		203 CORNELL
062	CENTER FOR THE ARTS			203 CORNELL
062	CENTER FOR THE ARTS			203 CORNELL
062	CENTER FOR THE ARTS		Lift	203 CORNELL
064	TECHNOLOGY & EDUCATION CENTER	A_064_1-E1	114A Men's Restroom	2000 B LAS LOMAS RD NE
064	TECHNOLOGY & EDUCATION CENTER	A_064_1-E2	302	2001 B LAS LOMAS RD NE
065	TRAVELSTEAD HALL		Lift	2000 C LAS LOMAS
068	MASLEY HALL	A_068_1-E1	120	2000 LAS LOMAS
069	KIVA	A_069_1-L1	Lift	500 CORNELL
073	STUDENT HEALTH CENTER AND UNDERGRADUATE STUDIES	A_073_1-E1	ME3	300 CORNELL
073	STUDENT HEALTH CENTER AND UNDERGRADUATE STUDIES	A_073_1-E2	No # needed: DW	300 CORNELL
076	R.O. ANDERSON SCHOOL OF MANAGEMENT	A_076_1-E1	1015	1924 LAS LOMAS
077	LAPOSADA DINNING HALL	A_077_1-E2	No #	2700 CAMPUS

077	LAPOSADA DINNING HALL	A_077_1-E1	No #	2700 CAMPUS
077	LAPOSADA DINNING HALL	A_077_1-E3	No #	2700 CAMPUS
077	LAPOSADA DINNING HALL	A_077_1-L1	No #	2700 CAMPUS
078	SOCIAL SCIENCES	A_078_1-E1	No #	1921 ROMA
079	ORTEGA HALL	A_079_1-E1	135A	402 YALE
081	HUMANITIES	A_081_1-E1	No # Roof	400 YALE
081	HUMANITIES	A_081_1-E2	No # Roof	400 YALE
083	CONSORTIUM FOR ENVIRO, RESEARCH, INFORMATICS & ART (CERIA)	A_083_1-E2	No # Outside in Basement	302 YALE
083	CONSORTIUM FOR ENVIRO, RESEARCH, INFORMATICS & ART (CERIA)	A_083_1-E1	101	302 YALE
084	ART	A_084_1-E1	154	220 YALE
085	UNIVERSITY ADVISEMENT & ENRICHMENT CENTER	A_085_1-E1	B09	400 CORNELL
085	UNIVERSITY ADVISEMENT & ENRICHMENT CENTER	A_085_1-E2	B18	400 CORNELL
087	R.O. ANDERSON SCHOOL OF MANAGEMENT AND PARISH LIBRARY	A_087_1-E1	B13	1920 LAS LOMAS
087	R.O. ANDERSON SCHOOL OF MANAGEMENT AND PARISH LIBRARY	A_087_1-E2	B57	1920 LAS LOMAS
088A	STUDENT RESIDENCE CENTER	A_088A_1- E1	No #	301 REDONDO
088K	STUDENT RESIDENCE CENTER	A_088K_1- E2	101	301 REDONDO
088L	STUDENT RESIDENCE CENTER	A_088L_1-E3	102	301 REDONDO
089	STUDENT RESIDENCE CENTER COMMONS	A_089_1-E1	106	301 REDONDO
102	BOOKSTORE	A_102_1-E1	216	2301 CENTRAL
102	BOOKSTORE	A_102_1-E2	216	2301 CENTRAL
103	HODGIN HALL	A_103_1-E1	G04A	1889 CENTRAL
112	CENTENNIAL ENGINEERING CENTER	A_112_1-E1	B122	210 UNIVERSITY BLVD

112	CENTENNIAL ENGINEERING CENTER	A_112_1-E2	B154	210 UNIVERSITY BLVD
115	COMMUNICATION AND JOURNALISM	A_115_1-E1	170	2101 CENTRAL
119	FARRIS ENGINEERING CENTER	A_119_1-E1	16	1901 REDONDO
122	MECHANICAL ENGINEERING	A_122_1-E1	No #	200 UNIVERSITY
144	YALE PARKING STRUCTURE	A_144_1-E1	No #: 5th Floor (machine room)	1920 LOMAS BLVD NE
144	YALE PARKING STRUCTURE	A_144_1-E2	No #: 5th Floor (machine room)	1920 LOMAS BLVD NE
153	INFORMATION TECHNOLOGIES BUILDING	A_153_1_L1	Lift	2701 CAMPUS
156	ONATE HALL	A_156_1_E1	No #	303 GIRARD
158	ROBERT HARTUNG BUILDING	A_158_1-E1	B06A	2414 CENTRAL SE
162	TAMARIND INSTITUTE	A_162_1-E1	B-27	2500 CENTRAL AVE SE
183	JOHN AND JUNE PEROVICH BUSINESS CENTER	A_183_1-E1	1005	1700 LOMAS BLVD NE
183	JOHN AND JUNE PEROVICH BUSINESS CENTER	A_183_1-E2	1005	1700 LOMAS BLVD NE
193	REDONDO VILLAGE STUDENT RESIDENCES	A_193A_1-E1	F-137	300 REDONDO
195	GEORGE PEARL HALL	A_195_1-E1	Penthouse No #	2401 CENTRAL AVE NE
195	GEORGE PEARL HALL	A_195_1-E2	Penthouse No #	2401 CENTRAL AVE NE
198	CORNELL PARKING STRUCTURE/UNM WELCOME CENTER	A_198_1-E1	B05	2401 REDONDO
205	RESEARCH INCUBATOR BUILDING (RIB)	A_205_1-E1	Lobby No #	2703 FRONTIER
205	RESEARCH INCUBATOR BUILDING (RIB)	A_205_1-L1	Lift: No machine room	2703 FRONTIER NE
207	PHYSICS/ASTRONOMY	A_207_1-E1	B07	1919 LOMAS BLVD
211	BASIC MEDICAL SCIENCES BUILDING (BMSB)	A_211_1-E1	Penthouse No #	2425 CAMINO DE SALUD
211	BASIC MEDICAL SCIENCES BUILDING (BMSB)	A_211_1-E2	Penthouse No #	2425 CAMINO DE SALUD

211	BASIC MEDICAL SCIENCES BUILDING (BMSB)	A_211_1-E3	Penthouse B28	2425 CAMINO DE SALUD
215	MULTIDISCIPLINARY RESEARCH FACILITY (RIB 2)	A_215_1-E1	No #	2705 FRONTIER
218	BRATTON HALL	A_218_1-E3	1512	1117 STANFORD
218	BRATTON HALL	A_218_1-E2	No #	1117 STANFORD
218	BRATTON HALL	A_218_1-E1	1402	1117 STANFORD
226	SURGE BLDG	A_226_1-E1	206	2701 FRONTIER
227	CLINICAL & TRANSLATIONAL SCIENCE CENTER	A_227_1-E1	Penthouse	900 CAMINO DE SALUD
227	CLINICAL & TRANSLATIONAL SCIENCE CENTER	A_227_1-E2	??	900 CAMINO DE SALUD
227	CLINICAL & TRANSLATIONAL SCIENCE CENTER	A_227_1-E3	B23	900 CAMINO DE SALUD
228	NURSING & PHARMACY	A_228_1-E1	Penthouse	2502 MARBLE
228	NURSING & PHARMACY	A_228_1-E2	by t-9 stairs SB21	2502 MARBLE
229	CANCER RESEARCH FACILITY	A_229_1-E1	P00A	2301 CAMINO DE SALUD
229	CANCER RESEARCH FACILITY	A_229_1-E2	Penthouse East P67	2301 CAMINO DE SALUD
230	NEW MEXICO LAW CENTER	B74A	No #	2301 MOUNTAIN
234	HEALTH SCIENCES CENTER LIBRARY & INFORMATICS CENTER	A_234_1-E1	Sub basement No #	2400 MARBLE
234	HEALTH SCIENCES CENTER LIBRARY & INFORMATICS CENTER	A_234_1-E2	Sub basement No #	2400 MARBLE
248	FAMILY PRACTICE CENTER	A_248_1-E1	118A	2300 TUCKER
248	FAMILY PRACTICE CENTER	A_248_1-E2	118A	2300 TUCKER
249	NOVITSKI HALL	A_249_1-E1	145	900 YALE
253	BIOMEDICAL RESEARCH FACILITY (BRF)	A_253_1-E1	B30	914 CAMINO DE SALUD
253	BIOMEDICAL RESEARCH FACILITY (BRF)	A_253_1-E2	B12	914 CAMINO DE SALUD

258	CONTINUING EDUCATION SOUTH WING	A_258_1-E1	103A	1634 UNIVERSITY BLVD NE
260	PETE AND NANCY DOMENICI HALL (THE BRAIN)	A_260_1-E2	1206	1101 YALE BLVD NE
260	PETE AND NANCY DOMENICI HALL (THE BRAIN)	A_260_1-E1	1008A	1101 YALE NE
266	HEALTH SCIENCES AND SERVICES BUILDING (HSSB)	A_266_1-E1	B08	2500 MARBLE AVE. NE
284	UNM CANCER CENTER	A_284_1-E1	West Penthouse	1201 CAMINO DE SALUD NE
284	UNM CANCER CENTER	A_284_1-E2	West Penthouse	1201 CAMINO DE SALUD NE
284	UNM CANCER CENTER	A_284_1-E5	G113	1201 CAMINO DE SALUD NE
284	UNM CANCER CENTER	A_284_1-E3	East Penthouse	1201 CAMINO DE SALUD NE
284	UNM CANCER CENTER	A_284_1-E4	East Penthouse	1201 CAMINO DE SALUD NE
284	UNM CANCER CENTER Administration	A_284_1-E6	Penthouse North	1201 CAMINO DE SALUD NE
284	UNM CANCER CENTER Administration	A_284_1-E7	Penthouse North	1201 CAMINO DE SALUD NE
289	INNOVATION, DISCOVERY AND TRAINING COMPLEX	A_289_1-E1	B003	700 CAMINO DE SALUD NE
289	INNOVATION, DISCOVERY AND TRAINING COMPLEX	A_289_1-E2	B360A	700 CAMINO DE SALUD NE
301-A	FOOTBALL STADIUM PRESS	A_301-A_1-E1	No # Penthouse	1414 UNIVERSITY BLVD
301-A	FOOTBALL STADIUM PRESS	A_301-A_1-E2	No # Penthouse	1414 UNIVERSITY BLVD
307	ATHLETICS ADMINISTRATION BUILDING	A_307_1-L1	Lift: no machine room	1414 UNIVERSITY BLVD
302	UNIVERSITY ARENA "THE PIT"	A_302_1-E1 NE corner	1011	1111 UNIVERSITY BLVD. SE
302	UNIVERSITY ARENA "THE PIT"	A_302_1-E2 NW corner	1146	1112 UNIVERSITY BLVD. SE
302	UNIVERSITY ARENA "THE PIT"	A_302_1-E3 SE corner	1334	1113 UNIVERSITY BLVD. SE
308	TOW DIEHM ATHLETIC FACILITY	A_308_1-E1	No #	1412 UNIVERSITY

332	SCIENCE AND TECHNOLOGY PARK "PARK CENTER"	A_332_1-E1	851	851 UNIVERSITY BLVD NE
333	SCIENCE AND TECHNOLOGY PARK, NEW MEXICO ENGINEERING RESEARCH INSTITUTE	A_333_1-E1	No #	901 UNIVERSITY BLVD
337	SCIENCE AND TECHNOLOGY PARK, UNM/SNL ADVANCED MATERIALS LABORATORY	A_337_1-E1	No #	1001 UNIVERSITY BLVD
339	SCIENCE AND TECHNOLOGY PARK ("PARK NORTH") (OFFICE AND LIGHT LAB FACILITY)	A_339_1-E1	No #	801 UNIVERSITY BLVD NE
339	SCIENCE AND TECHNOLOGY PARK ("PARK NORTH") (OFFICE AND LIGHT LAB FACILITY)	A_339_1-E2	No #	801 UNIVERSITY BLVD NE
340	SCIENCE AND TECHNOLOGY PARK, PARKING STRUCTURE	A_340_1-E1	No #	801 BRADBURY
340	SCIENCE AND TECHNOLOGY PARK, PARKING STRUCTURE	A_340_1-E2	No #	801 BRADBURY
341	SCIENCE AND TECHNOLOGY PARK MANUFACTURING TECHNOLOGY AND TRAINING CENTER(MTTC)	A_341_1-E1	103B	800 BRADBURY SE
344	UNM PRESS	A_344_1-E1	103	1312 BASEHART SE
346	STUDENT SUPPORT & SERVICES CENTER (SSSC)	A_346_1-E1	1012A	1155 UNIVERSITY BLVD
430	700 Lomas- II Woodward Center	A_430_1-E1		700 Lomas Blvd. NE

Accessibility Resource Center
A Division of Student Affairs

Mission Statement

Accessibility Resource Center (ARC) recognizes individuals with disabilities as an integral part of a diverse community and is committed to the provision of comprehensive resources to the University community (faculty, staff, and student) in order to create equitable, inclusive, and practical learning environments.

Introduction

The Accessibility Resource Center offers services to the University of New Mexico (UNM) self-identified students with disabilities. Students with documented disabling conditions that affect a major life activity are eligible for these services. This includes students with visual, hearing, learning, mobility disabilities, and chronic conditions. The primary duty is to help all students with disabilities gain equal opportunities throughout the campus community, with emphasis on education. Faculty and academic support staff should refer students when they have disclosed pertinent information regarding a specific disability. Publicity throughout the academic year promotes high visibility of the services we provide for students with disabilities.

Eligibility for Services

According to the criteria stated in Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and UNM Policy 2310, we require that students give proof of a disabling condition by providing professional evaluations. Students requesting services must provide documentation of the disabling condition prior to initiation of services. The Accessibility Resource Center Documentation Committee will meet to determine eligibility and reasonable appropriate accommodations. The final step in the process is a meeting with Accessibility Resource Center staff and student to determine reasonable appropriate accommodations. Faculty notification occurs after determination of accommodations.

Background

Disability is a natural part of the human experience...

-- The 104th Congress of the United States

Professional Guidelines and Ethical Standards

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 are Civil Rights laws. They affirm that people with disabilities should have access to the social, economic, educational, and cultural aspects of national life. Their impetus is the assertion by people with disabilities of their inalienable right to be treated as equals.

Section 504-Rehabilitation Act of 1973

In 1973, Congress passed Section 504 of the Rehabilitation Act of 1973 (Section 504), a law that prohibits discrimination on the basis of physical or mental disability (29 U.S.C. Section 794). It states:

No otherwise qualified individual with a disability in the United States. . . shall solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. . . .

The Office of Civil Rights in the U. S. Department of Education enforces regulations implementing Section 504 with respect to programs and activities that receive funding from the Department. Section 504 regulations apply to all recipients of this funding, including colleges, universities, and post-secondary vocational education and adult education programs. Failure by higher education schools to provide auxiliary aids to students with disabilities that results in a denial of a program benefit is discriminatory and prohibited by Section 504.

Section 504 requires that we inform faculty, administration, and staff of the following:

1. They cannot exclude a student from any course, major, or program solely based on a disability.
2. This law mandates that certain academic adjustments, commonly called accommodations, be used, especially regarding the provision of alternative testing and evaluation methods for measuring student mastery, unless such an alteration would result in a fundamental alternation of the course.
3. Modifications, substitutions, or waivers of a course, major, or degree requirement are discussed in the regulations implementing Section 504 and may be necessary to meet the needs of some students with learning disabilities.
4. Changes in time limits to complete a degree may have to be made.
5. It is discriminatory to restrict the range of career options in counseling/advising students with disabilities as compared to non-disabled students with similar interests and abilities unless such counsel is based on strict licensing or certification requirements in a profession that may comprise an obstacle. In such cases, the counselor/advisor should inform the student of these requirements so he or she can assess them in light of the disability and make an informed decision.

Violation of Section 504 carries with it the threat of loss of Federal funds, including Federal research grants and student financial aid. Violation may also allow plaintiffs to be awarded monetary damages.

Americans with Disabilities Act of 1990

The Americans with Disabilities Act (ADA) of 1990 is the civil rights guarantee for persons with disabilities in the United States. It provides protection from discrimination for individuals based on disability. The ADA extends civil rights protection for people with disabilities to employment in the private sector, transportation, public accommodations, services provided by state and local government, and telecommunication relay services.

ADA expands the essential concepts of *Section 504* to all aspects of American society such as private employers, public accommodations (e.g., restaurants and motels), and the Telephone

Relay system for the Deaf. Under Title II, the ADA strengthened the responsibility of public entities, such as state and local government, to ensure that qualified students with disabilities will not be discriminated against. Significantly, Title V of the ADA gives people with disabilities the opportunity to take their cases to court and to receive punitive damages along with their attorney's compensation. These additions give greater force to the law with which to overcome discrimination.

What is meant by otherwise qualified?

In short, Section 504 and Title II of the Americans with Disabilities Act (ADA) prohibit discrimination against students with disabilities who are otherwise qualified, and that when appropriate, such students must be provided reasonable accommodations. A student who has a disability is considered otherwise qualified if the student meets the academic and technical standards for admission and participation in the program. When a student with a disability is accepted to the University, that student has demonstrated that he or she is a qualified individual, even with a disability. Thus, the University must then attempt to remove barriers within the student's program. All programs, but not necessarily all buildings or classrooms, must be accessible to students with disabilities. This is often referred to as program access.

In other words, students have a *right to access* upon meeting the qualifications. Once qualifications are met, it is illegal to arbitrarily eliminate students with disabilities solely on the basis of their physical or mental condition. To do so would be discrimination. Failure to remove program barriers by refusing or denying reasonable accommodations would also be a form of illegal discrimination. The law does not mean that students get special considerations, but that they should enjoy a level playing field in which to compete, succeed, and thrive.

What is a Disability?

Eligibility for protection under the ADA and Section 504 requires the applicant to meet one of the following three criteria:

1. Have a physical or mental condition that substantially limits one or more major life activity.
2. Have a record of such a physical or mental condition.
3. Be regarded as having such an impairment, whether actually having the impairment or not.

Examples of disabilities include, but are not limited to the following:

- Arthritis
- Attention deficit disorders
- Blindness/low vision
- Cerebral Palsy
- Communication disorders
- Deafness/hearing impairments
- Emotional/psychological disabilities
- Multiple Sclerosis
- Muscular Dystrophy
- Seizure disorders
- Specific learning disabilities
- Spinal cord injuries
- Traumatic brain injuries

Other health impairments

How does Accessibility Resource Center verify a disability?

Students with Learning Disabilities, Attention Deficit Hyperactivity Disorder, and Traumatic/Acquired Brain Injury

A copy of the comprehensive psycho educational report must be provided to The University of New Mexico, Accessibility Resource Center in order for the student to be eligible for accommodations and/or modifications. Documentation should include testing scores and a verifying statement from a school psychologist, clinical psychologist, neuropsychologist, or other qualified professional. This group of students comprises the largest population of students served by Accessibility Resource Center. Cognitive disabilities affect the manner in which individuals acquire, integrate, and/or express knowledge. Learning disabilities may affect a student's performance in reading, writing, spoken language, mathematics, or orientation to space and time.

Students with Visual, Hearing, Physical, and Chronic Medical Condition Disabilities

Accessibility Resource Center requires medical records for students with visual and/or hearing disabilities and, in particular instances, may accept verification of disabilities from the Department of Human Services, Division of Vocational Rehabilitation (DHS/DVR). Documentation must include narrative explanation for clarification and may include an audiogram and/or optometric results. Documentation must include specific restrictions due to a physical disability and potential accommodations required.

Visual Disabilities

Visual disabilities may vary from total blindness to low vision. Students with visual disabilities may experience eyestrain, light sensitivity, and an inability to read printed material or to distinguish certain colors. Students who have been blind from birth have no visual memories. Their concepts of objects, space, and distance may be different from those persons who develop visual disabilities later in life. Mobility and orientation skills also vary due to numerous factors. Students with low vision may not have an apparent "visible" disability. Students may experience difficulty in performing in class readings, unannounced quizzes, open book tests, locating lecture information, completing scantron answer sheets, or viewing lecture notes.

Deaf and Hard of Hearing

The age of onset of a hearing disability will have a great impact upon the student's English ability, both spoken and written. Generally, English is considered a second language for deaf and hard of hearing students when signed language is the dominant mode of communication. Appropriate requests include use of a Signed Language interpreter, real-time captioning, note taking, providing all directions in writing, and closed captioned videos.

Physical Disabilities

Physical access is one of the major concerns for students with physical disabilities. Students may encounter unavoidable delays during inclement weather, heavy foot traffic times, and periods of construction. If a classroom is inaccessible, Accessibility Resource Center will work with the department to relocate the class to an accessible location. In order to fully participate in classroom activities some students may require educational assistants as an approved accommodation. When a course requires travel to alternative locations, those locations and transportation must be accessible.

Chronic Health Conditions

There are a number of chronic health conditions that may interfere with a student's academic work, concentration, and attendance. Some students may be in pain, or taking medication with varying side effects such as drowsiness. Students with seizure disorders may be affected at any time without warning. Some medication can lessen or control seizures, but produce side effects such as slowed response and impaired coordination. Such medication makes it unlikely a seizure will occur in class. Faculty should contact emergency personnel when seizures occur.

Students with Psychological Disabilities

Accessibility Resource Center requires a letter from a clinical psychologist, psychiatrist, or DHS/DVR. Documentation may include diagnostic treatment information, and potential medication side effects. Psychological disabilities include, but are not limited to, depression, bipolar disorder (or manic depressive disorder), anxiety disorders, and schizophrenia. Determination of eligibility for services is based on severity, duration, and onset of the disorder. On rare occasions, classroom behavior may become an issue. All students are expected to maintain appropriate behavior. If problems occur, consulting the Student Code of Conduct and handling the behavior issues according to departmental policies is appropriate. Accessibility Resource Center is available for consultation when necessary. Some students undergoing treatment take prescription medication to help control symptoms. This medication may have side effects such as drowsiness or disorientation.

What are functional limitations?

A disability must limit functioning in one or more major life activity before one can receive an accommodation. The effect of a disability on program access is referred to as a functional limitation. A physical or mental condition, in and of itself, does not necessarily require accommodations. There must be a logical link between the functional limitation stemming from the disability and the accommodation requested. Accessibility Resource Center staff first identifies functional limitations through discussion with the student and a review of documentation. Accessibility Resource Center staff provides the student with information about the accommodations for which the student is eligible.

Example: A student who is blind cannot see to read print in textbooks. The disability, blindness, causes the functional limitation, an inability to read printed text. Thus, the student may choose the accommodation of reading the text in an alternative format such as Braille or audiotape. On the other hand, blindness doesn't prevent one's ability to take notes during a course lecture when Braille and other electronic devices are available. Therefore, a student who is blind may not be eligible for the accommodation of note-taking services because the functional limitations of blindness do not affect the ability to take notes using Braille or electronic devices.

What is the Responsibility of: Accessibility Resource Center, Students with a Disability, and Faculty?

Accessibility Resource Center is responsible for:

- Verifying disabilities and need for accommodations.
- Recommending reasonable accommodations.
- Informing students of their rights and responsibilities.
- Advocating program access.
- Problem-solving with student and, if necessary, the instructor, in response to student concerns regarding the implementation or consistency of reasonable accommodations.

Accessibility Resource Center does not have either the right or the responsibility to look over the shoulders of students with disabilities. Students are ultimately responsible for themselves. Accessibility Resource Center works with students and, when appropriate, with their instructors, to determine two things. First, which accommodations are reasonable and second, identification and referral for other campus and community services that may be appropriate. Accessibility Resource Center provides students with the tools necessary for their academic success.

Students are responsible for:

- Self-Identification.
- Requesting reasonable accommodations in a timely manner.
- Meeting the academic standards expected of all students.

If an accommodation is ineffective or has not been provided and it is impacting performance bring it to the attention of the disability specialist. You and your disability specialist will then decide an appropriate action plan which may include both formal and/or informal options as outlined under Exhibit A of UNM Policy 2310: Academic Adjustments for Students with Disabilities: Appeal Rights Procedures.

Ultimately, responsibility lies with the student. They must contact Accessibility Resource Center and faculty with questions and concerns in a timely manner. Through the cooperation of all parties reasonable accommodations are provided.

Faculty is responsible for:

- Being open to accommodating students.
- Providing program access.
- Meeting with students to discuss their needs.
- Implementing reasonable accommodations.
- Maintaining confidentiality.

Faculty members are responsible for assisting in the provision of accommodations as described in the accommodation letter. Any concern related to an accommodation fundamentally altering the academic curriculum should be brought to the attention of the student and disability specialist. All parties will engage in an interactive process to determine the reasonableness of the request and ensure equal access is maintained.

Everyone is responsible for:

- Engaging in an interactive discussion of reasonable accommodations for specific courses and degree program.
- Problem-solving issues/concerns.
- Maintaining academic standards for course and degree program.

Process regarding denial or failure to accommodate during an academic semester:

- Student submits appeal to academic department.
- If resolution does not occur:
 - Appeal to Provost/HSC designee
 - Ad hoc committee of 3-5 members is convened

- Student may also submit a discrimination claim to the Office of Equal Opportunity. Please see UNM Policy 2310, Exhibit A (http://www.unm.edu/~ubppm/ubppmanual/2310ex_a.htm) for a full text of the appeal process.

Grade appeal involving failure to accommodate after academic semester:

- Upon receipt of a grade appeal from a student which asserts a failure to accommodate, the academic unit can request guidance from ARC and/or OEO to verify whether a failure to accommodate occurred.
- If it is determined that a failure to accommodate occurred, the academic unit shall take such fact into consideration to equitably resolve the grade appeal. Further, the student may simultaneously pursue a claim with Office of Equal Opportunity pursuant to its Discrimination Claims Procedure. (<http://www.unm.edu/~oeounm/discrimination/DiscriminationClaimsProcedure.pdf>)

Please see UNM Policy 2310, Exhibit A and Policy 3100 for a full text of the appeal processes.

What is a reasonable accommodation?

Reasonable accommodations are adjustments in the learning environment that permit students with disabilities to compete at the University. The accommodations modify nonessential elements of University programs.

Examples include, but are not limited to:

- Extended testing times
- Books on tape
- Large print material
- Signed language interpreters
- Adaptive computer software
- Accessible classrooms
- Alternative textbook format
- Note takers

Accessibility Resource Center coordinates and provides reasonable accommodations to qualified students with disabilities. Accommodations are individualized to address specific functional limitations resulting from a disability. There must be a logical link between the functional limitation and the accommodation.

The director and program specialists rely heavily on documentation of the disability when determining accommodations. The student also participates in a discussion of limitations and possible strategies. Accommodations not requested by students will not be provided.

Students with disabilities must perform at satisfactory levels in their academic pursuits at the University of New Mexico. If they do not request reasonable accommodations and perform poorly without them, their civil rights have not been violated. The student must then deal with the consequences of unsatisfactory academic progress.

Are these accommodations fair to other students?

This question is often asked of students with disabilities. The underlying assumption of the question is that fairness and equal treatment are synonymous with “the same” treatment.

However, the same treatment doesn't always measure fairly.

ADA and 504 of the Rehabilitation Act protect students with disabilities. The assumption of the law is that modifying non-essential tasks through accommodations should give the student with a disability an equal or fair chance to demonstrate their ability.

A student whose limitations in the way they learn, i.e., a learning disability that involves eye hand coordination or thought processing, may need accommodations that assist with their learning. These include, but are not limited to books on tape, readers and scribes for tests, screen readers, or help with marking Scantron answer sheets. Providing these accommodations helps with effectively expressing the knowledge of the course subject.

Make a point to give case-by-case consideration as required under the law. What one student receives does not necessarily mean that other students with disabilities will receive the same accommodations. The laws protect students with disabilities from being measured in an area that they cannot show their true level of abilities. Reasonable modification allows students with disabilities an equal opportunity to perform at a standard equivalent to students without a disability. While an accommodation may present an advantage to students without a disability, it isn't an advantage for a student with a disability, but an equalizer.

Example:

A student whose limitations in the physical task of writing or other fine motor manipulations may be an excellent writer even though they cannot print or type the letters and words. Thus, the physical act of writing is a non-essential task. The student's mastery of language and course material must not, under the law, be judged by their ability to manipulate a pencil or pen, or by use of a keyboard. Accommodating the student by providing a scribe or allowing the use of computer software to record the student's essay responses permits the student to show whether they can write effectively and whether they have acquired the information and critical skills the instructor wished to convey in the course.

Arranging for Accommodations

Before Accommodations are Implemented

Students with disabilities meet with Accessibility Resource Center staff confidentially as a first step in arranging accommodations. The staff verifies the disability and determines how the disability affects academic work. This is accomplished through discussion with the student and a review of documentation.

Accommodation Process

After the disability and its functional limitations are verified, the student is provided information about the various reasonable accommodations that address the student's disability. The student then chooses the reasonable accommodations that best apply in a given course or semester.

1. Students indicate the need for accommodation letters through submission of course schedule each semester to the department.
2. Accommodation letters are sent through campus mail to each requested faculty member appearing on the student semester schedule.

3. Faculty are informed of the presence of a signed language interpreter or special accommodations in the classroom prior to the start of the semester.
4. When faculty/staff have been notified, additional clarification and discussion may occur.

When are accommodations not provided?

The University provides accommodations unless they fall under one of the following three categories:

Fundamental Alteration

If an accommodation reduces the academic standards of the University, its colleges, departments, or its courses, the University denies the accommodation and deems it unreasonable. Academic standards are essential for any student. Determination of a fundamental alteration is made by Accessibility Resource Center after discussion with faculty on the essential components of the course or major. Students with disabilities must acquire the same knowledge and skills as other students.

Undue Hardship

If an accommodation costs too much or is impossible to administer, the accommodation is deemed unreasonable. An undue administrative burden occurs when the University doesn't have enough time to respond to the request, or when it would be impossible or infeasible to administer. In every instance, the University reserves the right to offer other, equally effective accommodations. In twenty plus years of case law and findings under Section 504 and the ADA, the federal government has **never** allowed a post-secondary institution to claim undue financial hardship as a legitimate refusal to provide auxiliary aids or services.

Personal Service

If a request for an accommodation falls under the definition of a personal service, the University is not responsible for providing the request. Personal services are those that a person with a disability must use regardless of attendance at the University. In addition, personal services are those for which no correlation between the disability's functional limitation and program access can be established. The University, for instance, does not purchase wheelchairs or other assistive technologies used in every setting to compensate for a mobility disability. Other examples of personal services may include independent living, mental health, rehabilitation, remediation and homework assistance.

Academic Adjustments

The following is a descriptive list of typical academic accommodations available to students with disabilities. Determination of the appropriateness of any given accommodation is done by Accessibility Resource Center prior to implementation by faculty.

Alternative Textbook, Course packets, Syllabi, and Video Format

Students with visual or learning disabilities may arrange audio or electronic formats through Accessibility Resource Center. At the beginning of each semester the student is responsible for informing the Accessibility Resource Center office of books that they need in alternative format.

Accessibility Resource Center will provide alternative format for textbooks once the student provides a course syllabus and proof of book purchase for the class. The Accessibility Resource Center office staff will complete the alternative formatting according to assignments in

the respective syllabi. Textbooks may be available has audio files or electronic text that allows the student to **hear** or **enlarge** the text.

Please make your book selections, compiled course packets, and syllabi available prior to the start of the semester. Students who are blind, have visual impairments, or have learning disabilities affecting their reading rates and comprehension, require printed materials that are transformed into alternate formats. Conversion of text into a spoken format or Braille can be a time consuming process, taking several months to complete. Your syllabus is required to determine the extent to which each text will be used and the order in which reading assignments will be completed.

Some students will rely on having printed material scanned and saved in computer format that can be listened to using voice output software. If you are collating various journal articles and portions of books into course packets, please use original copies or a copy that is as clean as possible. Creating course packets using second, third, and fourth generation copies of material (copies made from copies, etc.) may cause images of text that are fuzzy. Such blurring often makes it impossible for character recognition software to decipher images as readable text. If material included in course packets is not all of top quality, Accessibility Resource Center would appreciate being able to briefly borrow your originals for scanning.

You may also wish to ask if the publishers of the books you are considering have created electronic text (e-text) and/or audio versions of them. If possible, select a textbook with an accompanying study guide to maximize comprehension for all students. Choosing one that does will ensure that the reading materials are accessible.

Finally, consider using captioned versions of videos as these are extremely helpful for deaf or hard of hearing students and students who have auditory processing difficulties. Although some videos used in classes are already captioned, others are not. If you are aware that you will be using videos in a class with an enrolled deaf or hard of hearing student, please contact Accessibility Resource Center to discuss how to determine if a video is captioned or what alternatives might be available. When requesting audio-visual equipment, make sure you request equipment with a captioning decoder.

Equipment Loan

Students may check out equipment, e.g., tape recorders and FM Assistive Listening devices for use in the classrooms.

Adaptive Equipment and Software

Adaptive equipment and software are available in the Accessibility Resource Center and Accessibility Resource Center Room at Zimmerman Library. Installation in other labs and classrooms is done upon request by faculty or student.

CCTV

Students with low vision use the CCTV machine with magnification capabilities up to 7X. Portable versions are available for student use in high visual context courses (i.e. mathematics, chemistry, biology, etc.). Color video magnification and black/white models are assigned to classrooms on a priority need basis. The Zimmerman Library houses a CCTV in the Accessibility Resource Center Room. Portable models are available for student check out as

needed.

Computer Screen Magnification Software

Screen magnification software is available for students with low vision who need 2X to 16X magnification.

FM Assistive Listening Systems

FM Assistive Listening Systems are available in the classrooms for students who are hard of hearing. The system allows amplification of the lecturer's voice or audio portion of a videotape and filters out any extraneous noises.

Digital Recorders/ Smart Pens

Digital recorders and smart pens are available for student use throughout the academic year to record lectures.

Tiger Embosser, Juliet Braille

This equipment converts printed English text to Braille through the Duxbury Braille Translator.

Picture in a flash (P.I.A.F.)

The P.I.A.F produces high quality tactile graphics by using heat sensitive capsule paper. The raised images provide quick and easy access to geography, mathematics, orientation and mobility training, all science subjects and more.

Voice Activated Software

Voice Activated Software helps students with visual, learning, and physical disabilities complete written assignments independently by voice-activated processing rather than keyboard processing.

Screen Reading Software

Screen reading software gives students with visual disabilities access to the Windows operating system environment.

Computers

For completion of essay exams or accessing information using adaptive software, computers are available for student use at the Accessibility Resource Center, the Accessibility Resource Center room in the Zimmerman Library.

Alternative Test Taking Arrangements

Alternative test taking arrangements (oral testing, extended time, use of scribe, alternative format, and distraction free environment) are available to students approved for this accommodation.

Test Requests

1. A student goes to Accessibility Resource Center or telephones to schedule a test with

- 5 business days' notice.
2. A test accommodation form noting pertinent information is prepared via the departmental website or hand written by the testing coordinator.
 3. If 5 business days' notice is not provided the testing coordinator will make a determination on if the accommodations will be afforded. When adequate advice warning is not given, the student should report to class and take the exam under standard conditions.
 4. Notification to faculty occurs at the time the student requests the exam accommodation via an automated email from arcstaff@unm.edu. Telephone contact may be made when less than 5 business day notice is provided by the student.
 5. Faculty provide the exam to the Accessibility Resource Center:
 1. Leave the exam for pick up in the departmental office.
 2. Or email attachment to arcstaff@unm.edu.
 3. Or faxing to 277-8750.

Administering Tests

1. Student reports to Accessibility Resource Center for exam at scheduled time.
2. Student is allowed only the items listed on test request or designated by instructor on exam or via email message.
3. Student is monitored by video camera throughout exam period.
4. Student is warned with 15 minutes remaining in the exam time.
5. Exam is picked up from student if time expires prior to completion.

Returning Tests

1. Accessibility Resource Center schedules two return deliveries of exams per day. The first delivery is prior to 11:00 A.M. with the second delivery after 3:30 P.M..
2. Exams completed after 3:30 P.M. are returned as early as possible the next working day.
3. Faculty may pick up completed exams at the conclusion of the student's exam session if desired.
4. Completed exams may also be scanned into a PDF document and sent as an email attachment when requested.

Access to Class Notes

Digital recording lectures and/or Smartpen

Students may use personal digital recorder, note taking app, or smartpen to record lectures. Digital recorders and smartpens are available for loan through Accessibility Resource Center as needed.

Class notes provided by the instructor

Faculty often provide class notes to students and fulfill the need for note taking assistance. A good study strategy for all students is to augment the PowerPoint slides or overheads by taking additional notes during the lectures. This will help you to recall the information as you prepare for exams.

Supplemental notes by a peer volunteer

Students approved for peer volunteer note taking must register with the Accessibility Resource Center (ARC) and provide a class schedule each semester to initiate this option. This should be done before the start of each semester or as soon as the need arises. Students can register for note assistance in person, by phone, or by emailing the Program Specialist. Accessibility Resource Center seeks assistance from faculty to make a general announcement at the initiation of the accommodation request. An e-mail is sent from asnotes@unm.edu requesting an announcement be made. The message contains all pertinent details. In the event a note taker is not found, the coordinator of note taking services will announce the need for a note taker in the student's class in order to provide the service. Students needing a note taker will remain anonymous unless they wish to self-identify to their note taker. Accessibility Resource Center provides written instructions to the note taker. Every effort will be made to find a qualified note taker within 15 working days of the request as outlined in the University of New Mexico Policy 2310 Academic Adjustments for Students with Disabilities. It is the student's responsibility to notify ARC if there is a problem with access to class notes or the note taker is not showing up to class. It is mandatory that students using the services of a note taker attend all class sessions as note taking assistance is not a substitute for attendance.

Ways to secure a copy of class notes:

1. **Electronic notes**—Some students take notes on their laptops and do not want to use carbonless paper. In these situations, the note takers can email their notes to the student. When the student prefers to remain anonymous, the volunteer can email the notes to the professor or the appropriate Accessibility Resource Center administrator.
2. **Blackboard/Classroom resources**—Some instructors put their own notes on Blackboard or WebCT and these may be sufficient for the student with a disability. In other instances, the teaching assistant takes notes, which can be made available after class. It is important to remember that copies of Power Point presentations may not include additional information that was discussed in class and may not be sufficient. In addition, Power Point presentations are typically not accessible to students with visual disabilities who are using screen reading software. In these instances, they should be converted into an accessible format (e.g., Word or PDF). Please contact Accessibility Resource Center if you need assistance.
3. **Departmental copy machine**—At times, it may be necessary for the note taker to use a departmental copy machine rather than carbonless paper. Arrangements are made for the department or Accessibility Resource Center to cover the cost of the copying rather than the note taker or student with a disability.

Important Reminder: If the student asks for your assistance in soliciting a volunteer, keep his/her name confidential.

Educational Assistants

On occasion it is necessary to employ educational assistants so equal access can be provided. Arrangements are made by Accessibility Resource Center in consultation with faculty. The purpose of the assistants is to perform tasks under the verbal direction of the student with disability due to limited mobility. Lab courses are a typical example of when an educational assistant may be used.

Sign Language Interpreters

Accessibility Resource Center schedules sign language interpreters when it is determined to be a reasonable accommodation. We will schedule signed language interpreters for both academic and University co-curricular activities when the student makes this request. Requests for interpreter services must be made at least one week prior to the event or activity taking place in order for Accessibility Resource Center to have enough time to contact and schedule a qualified interpreter.

Enlarged Material

The Accessibility Resource Center office staff can enlarge exams and course handouts. Students should bring these materials to the office, allowing adequate time for completion.

Accessible Classrooms

Accessibility Resource Center will arrange access to classrooms for students with physical disabilities, photo sensitivity to florescent lighting, or chemical sensitivity and request a change of classroom location if necessary. We will make alternative desk or table accommodations for writing surfaces.

Distinctive Classroom Accommodations

At times, a student may require a distinctive accommodation due to the nature of the course or current health issues. Accessibility Resource Center will serve as liaison to the faculty for unique accommodations and assistance. Specific accommodations will be determined before enrollment or early in the current semester. Should a student approach with an accommodation request beyond those listed on the accommodation letter, contact the director of Accessibility Resource Center to discuss.

Tutoring Assistance

Accessibility Resource Center does not offer one-on-one tutoring. Students seeking tutoring services will be referred to the Center for Academic Support (CAPS) located on the third floor of Zimmerman Library. CAPS provides tutoring for most undergraduate courses at the University of New Mexico. CAPS tutors are available at ARC for a limited number of hours per week for writing and lower level math tutoring. Students should speak with their Program Specialist for specific details on CAPS tutoring at ARC.

Student Confidentiality

All student records that the Accessibility Resource Center collects are regarded with strict confidentiality. The Accessibility Resource Center does not reveal the details of the disability diagnosis of any student registered with the office.

No information will be released to any internal or external individual, departments or agency without the written permission of the student. Instructors are cautioned against identifying students with disabilities unnecessarily to their peers or other colleagues without the student's consent. Announcing, for example, at the beginning of an exam that all students with disabilities should come to the front of the class would violate the students' right to confidentiality.

Accommodating Students with Disabilities

Check List

- ✓ On the first day of class announce an Accommodation Statement. Include a statement on each course syllabus, such as, "In accordance with University Policy 2310 and the Americans with Disabilities Act (ADA), academic accommodations may be made for any student who notifies the instructor of the need for an accommodation. It is imperative that you take the initiative to bring such needs to the instructor's attention, as I am not legally permitted to inquire. Students who may require assistance in emergency evacuations should contact the instructor as to the most appropriate procedures to follow. Contact Accessibility Resource Center at 277-3506 for additional information."
- ✓ Grant reasonable accommodations. Accommodations provide equal access to programs and classroom materials. They are reasonable so long as course standards aren't fundamentally altered and there is a demonstrated need based on the student's disability.
- ✓ Consult with the student. Students are encouraged to set up appointments to discuss one-on-one needs. Accessibility Resource Center will notify faculty by letter each semester of students enrolled in their class who are approved for accommodations and requested faculty notification.
- ✓ Verify existence of the disability and need for accommodations. Accessibility Resource Center will provide an accommodation letter that verifies the student's qualifications for services. Students requesting accommodations without an accommodation letter should be referred to Accessibility Resource Center so appropriateness of the request can be made.
- ✓ Permit students to use auxiliary aides and technologies that ensure access. Depending on the disability, students may use note takers, signed language interpreters, readers, scribes, and educational assistants. Others may use tape recorders/players, computers, adaptive software, assistive listening devices and other technologies for the same purpose.
- ✓ Permit test-taking accommodations. Depending on the particular needs of a student, it may be necessary to extend test-taking time to one and one-half or double time, provide a quiet environment, alternative testing formats, e.g., audio taping, reader, scribe, enlarged copy, or screen readers. Accessibility Resource Center offers test accommodation services for all of these when they cannot be provided by a department.
- ✓ Regard disability-related discussions and information with confidentiality. All disability related information is strictly confidential. It is imperative that faculty not violate student confidentiality in any way. Divulge only what a student gives permission for, i.e., sometimes a student will allow identification to a classroom note taker.

Common Overlooked Details

- Refusing to provide approved accommodations. Contact Accessibility Resource Center with concern that an accommodation request is a fundamental alteration or potential compromise of essential function of the course.

- Requiring the student to turn in accommodation letters by a specific date. A student may request accommodations at any point in the semester. While early notification is beneficial, it is not mandated.
- Questioning whether the student has a disability. Verification of the student's disability is provided through accommodation letter notification and is determined by the University to be adequate disability verification.
- Inadvertently disclosing to classmates that a student has a disability. All information about a student and accommodations must be kept confidential.
- Asking a student about his/her specific diagnosis. A student is not required to disclose information about the disability to discuss accommodation needs. Discussion must focus on how to implement accommodations.
- Asking to review the student's documentation. This documentation is confidential and is considered a part of the student's educational records. Therefore, the information is protected by the Family Educational Rights and Privacy Act (FERPA).
- Teaching assistants are often asked to coordinate aspects of the accommodation process such as proctoring exams or locating testing space. It is essential for the faculty member to train a TA on how to implement and provide accommodations. It is important they understand their responsibility in the accommodation process.
- Providing an inappropriate reduced-distraction environment. Reduced-distraction space for test taking should be in a quiet room such as a conference room, empty classroom, etc. rather than a hallway, stairwell or an office full of people or ringing telephone.

Due Process Issues

If you are uncertain about the reasonableness of an accommodation, you have several options. First, you may ask the student for a letter of verification from Accessibility Resource Center to ensure that the accommodation is one recommended. If the letter doesn't contain any mention of the requested accommodation, you may contact Accessibility Resource Center. Some accommodations might be requested even though they have not previously been discussed with Accessibility Resource Center. Contact Accessibility Resource Center if you are unsure if a request is reasonable or disagree with the recommendation.

What happens if I choose not to comply?

If an instructor does not provide an accommodation that is reasonable and legitimate, the student has several options, both formal and informal. While Accessibility Resource Center staff defaults to the level of action that intervenes the least between the student and the instructor, we also have an ethical obligation to inform students of their rights to due process under the law.

Informal options, and therefore the least interfering ones include the following:

- Clarifying the student's rights in the situation at hand, and coaching them about how to best discuss the accommodations further with their instructor.
- Accessibility Resource Center staff may phone the instructor to further clarify the issue and to ensure he or she understands the student's civil rights.
- Student and Accessibility Resource Center staff meets with instructor.
- Student may contact chair or dean for assistance with the situation.

In most instances the academic adjustment determination made by Accessibility Resource Center will be acceptable to the student and faculty. However, if that is not the case, the determination is subject to appeal. In addition, the student can appeal a determination by an

academic unit that an adjustment would result in a fundamental alteration of a course or program. The Provost/HSC Dean, or designee, will convene an ad hoc committee to consider the appeal. Members of the ad hoc committee will include representatives from relevant University departments as determined on a case-by-case basis. The ad hoc committee will follow the appeal procedures listed in **Exhibit A (appendix ii)**. The ad hoc committee will make a recommendation to the Provost/HSC Dean, or designee, whose decision on the appeal is final for the University. Every effort should be made to arrive at a determination of the appeal as expeditiously as possible.

The student may wish to file a formal, internal complaint with the OEO/ADA Compliance office on campus. This review process will attempt to determine if discrimination on the basis of disability has occurred, and recommend resolution.

The student always has the right to file formal complaints with either the New Mexico Human Rights Commission or with the U.S. Dept. of Education's Office of Civil Rights. This process takes longer for resolution, but carries with it greater threats to the University as a whole in the event of adverse findings. Also, the student has the right to file a lawsuit alleging that the University, individual faculty member, and administration violated their legal rights.

What if a student with a disability is failing your course?

Equal access through use of reasonable accommodations for a student with disabilities does not ensure success. The possibility of a student with a disability failing a course exists when academic performance falls below minimal standards. The question to ask in this situation is "were requested accommodations provided in a satisfactory manner?" If so then the failing grade is an accurate measure of the student's performance and has been earned.

The laws mandate access to education, not guaranteed academic success. When a faculty member has done all that is required, then failing the under-qualified student is proper and lawful. Here's a compliance checklist:

- Stand by academic standards and freedoms. Full and equitable access to academic programs serves as the foundation to standards and freedoms.
- Communicate clear and concise expectations for performance to your students. Care should be taken to distinguish between essential and non-essential components of the course.
- Allow reasonable accommodations. Accommodations are adjustments in the way things are done and affect only non-essential aspects of a course. They are reasonable so long as course standards are not fundamentally altered.
- Inform your students that you are willing to provide accommodations. This can be done verbally during lectures and in writing within a course syllabus. Accessibility Resource Center recommends both. One might say "Students with disabilities are welcome to discuss accommodations with me."
- Permit students to use auxiliary aides and technologies that ensure access. Depending on the disability, students may use note takers, signed language interpreters, readers, scribes, and educational assistants. Others may use tape recorder/players, computers, assistive listening devices, and other technologies for the same purpose.
- When requested, provide alternatives to printed information such as Braille, computer electronic text, large print, and tape cassettes. If Internet resources and other technologies are used, then they must be accessible to students with disabilities. Accessibility Resource Center produces these alternative formats.

- Make academic adjustments in instruction. Some students need lecturers to face the audience while speaking. Others may need written or graphic information spoken aloud or described. Adjustments such as these may be made after the student requests them.
- Grant testing accommodations. Again, depending on the particular needs of a student, it may be necessary to extend testing times, change testing formats, test in a quiet environment, etc.
- Regard disability-related discussions and information with the strictest confidentiality.

Therefore, if compliance is adhered to, fail the student who is not otherwise qualified. Although it is possible for any student to file a complaint, it is another matter to demonstrate discrimination when the faculty person has complied with the law.

What if...?

What if faculty suspects a student has a disability?

Do not ask if he or she has a disability.

Approach as any other student having difficulty.

Inquire what might be impacting their performance.

If presence of a disability is disclosed, refer the student to Accessibility Resource Center.

If the student suspects they have disability refer them to Accessibility Resource Center.

What if a student with a disability requests a letter of recommendation?

If the letter cannot be written without mentioning the student's disability, it is better to decline the request.

The letter should be written to report what was achieved, not how it was achieved.

The letter should be written with regard to how well the student performed in relation to peers.

What if a student says their disability may limit regular attendance?

Attendance during scheduled class times is a necessary part of the learning process. Accessibility Resource Center staff may recommend flexibility in attendance requirements for some students. Generally, this accommodation is requested when the nature of the disability results in varying functioning levels, i.e., "good and bad days." Flexibility is negotiable, contingent upon the student and circumstance. Variables such as the course, the material and the necessity of interaction in the classroom are all factors considered.

Example: Discourse between an instructor and a student is a critical aspect of learning in a literature course. Thus, it would not be possible simply to read the assigned texts and copy another student's notes before an exam. Similarly, a science lab course requires students to work, often together, to observe phenomena in experiments and record findings. In these examples, minimal leniency is appropriate.

In other courses, such as large lecture courses, there may be more flexibility in attendance than in the previous two examples. Discussion between the student and instructor is essential. Accessibility Resource Center staff is also willing to participate in such discussions. Students

should understand there is no substitution for attendance and participation. Exam grades may reflect this and would not be altered as a result of missed material due to absence leniency.

What if a classroom is moved?

Classrooms may be moved if the room is inaccessible to a student registered in the course. Whenever possible, the least intrusive intervention is taken. For instance, a student may be moved to another section of the same course at the same time if that section is scheduled in an accessible location. Faculty should be advised that not all students with severe mobility disabilities, who may require room changes, have visible disabilities. Instructors will be notified by Accessibility Resource Center before classroom changes are finalized.

What if a student misses class because of an elevator breakdown?

Elevator breakdowns or other short-term barriers may constitute temporary access barriers for students with mobility disabilities. Students may miss critical course information, be unable to take scheduled exams or pop quizzes, or be unable to give required presentations. This is a no-fault situation in many respects, but the University still assumes the responsibility of equal access. In such circumstances, the student should contact the instructor as soon as possible. He or she should request some assistance in obtaining course notes or rescheduling an exam or presentation. The student should not be adversely affected in terms of attendance. Most elevator breakdowns last only a few hours. In rare instances though, breakdowns have lasted as long as several weeks. Accessibility Resource Center will make alternative arrangements if a student's attendance is affected for more than one day. In these instances, it may be necessary to temporarily relocate a class to ensure full participation of all students.

What if a required field trip is planned?

Many courses at The University of New Mexico occur outside the traditional classroom or laboratory, and many programs require the completion of such courses as part of the standard curriculum.

Examples of such courses are:

-  field trips
-  field experiences
-  practicum
-  student teaching
-  professional internships
-  study abroad

Accessibility Resource Center adheres to its over-arching policies regarding program access, reasonable accommodations and prohibition against discrimination with respect to these educational experiences.

When a student asks us to do so, Accessibility Resource Center provides reasonable accommodations such as readers, scribes, signed language interpreters, and assistive technology. Accessibility Resource Center covers the cost of some of these accommodations, and arranges cost sharing with DHS/DVR for others when the student is eligible for that program. Many accommodations are at no cost and can be provided on site. For example, desks can be raised by blocks of wood to permit use with a wheelchair, workstation lighting can be modified, and other no-cost accommodations can be

provided upon request. At no time does a student pay fees for reasonable accommodations. However, personal services such as personal care attendants, drivers, etc. are the responsibility of the student.

The student arranges a practicum, internship, field trip or field experience, or overseas study program through their instructor, advisor, professional school or other appropriate division of the University. If accommodations are likely to be required, the student must make the request. For example, use of an aid in student teaching would be requested by the student in advance. The purpose, activities, and time necessary for the accommodations would be discussed by Accessibility Resource Center and the student, along with the practicum supervisor. Staff at the practicum site may need to be included as well. In other cases, the student makes the requests directly to the practicum site personnel, and comes to Accessibility Resource Center only for services that would involve some cost, such as readers or scribes. Accessibility Resource Center and the student agree on which accommodations are necessary and reasonable, and the authorization to implement them (such as hiring a reader or being assigned a signed language interpreter) is granted to the student. Supervising faculty should discuss the potential need for accommodations with students when appropriate.

What if a student needs a Signed Language Interpreter?

Students who are deaf may request the use of a signed language interpreter in order to have access to course lectures and other University activities. Signed language interpreters are professionals employed by Accessibility Resource Center. Their job is to provide access by interpreting lecture and other spoken communication into signed communication, usually American Sign Language (ASL). Interpreters maintain a professional level of distance in the classroom when interpreting. Students handle requests for signed language interpreters directly with Accessibility Resource Center.

Example: If a student is addressed by the instructor, the instructor should look directly at the student and speak in the first, not the second, person. Likewise, if a student wishes to ask a question, the interpreter will voice the student's question or comment. It is not ethical for the interpreter to carry the student's part of the conversation with the instructor or other students. The interpreter's job is to interpret spoken language into sign, and to voice signed language. The signed language interpreter is not responsible for the student's grasp of material, homework, testing arrangements, or attendance. These are the student's responsibility.

What if a student needs to take a exam at Accessibility Resource Center?

The first step involves the student acquiring the professor approval to test at Accessibility Resource Center with accommodations. Second, as exams are scheduled, students have the obligation to inform the Accessibility Resource Center office at least 72 hours before test taking time with the date, hour, course, and professor name. Then, Accessibility Resource Center contacts the professor via telephone or email requesting a directive for acquiring the exam. A staff member from the Accessibility Resource Center office may pick the exam up from the department office, the professor may hand deliver the exam, email the exam, or fax the exam. The completed exam is sealed and hand-delivered to the respective department office for placement in the professor's mailbox.

What if a student is observed cheating on an exam at Accessibility Resource Center?

All students must leave textbooks, notes, backpacks, and electronic devices in the main

Accessibility Resource Center office before beginning an exam. They are permitted additional materials only when the respective professor provides a note explaining exceptions. Copies of study aids for exams are copied by Accessibility Resource Center and returned to faculty with the completed exam. Students are monitored by security cameras during the exam. In the rare instance when a student is found to be cheating on an exam Accessibility Resource Center removes the exam and returns it uncompleted to faculty with a note explaining the situation. The course of action taken against the student is determined by the professor and based on the previously established policy. Further testing accommodations cannot be withheld from a student, but additional caution will be used to maintain the integrity of the exam.

What if a student with a disability is enrolled in a program that requires specific certification?

No student can be denied access to any program based solely on his or her disability. All students must adhere to the standards of the program with necessary accommodations made according to his or her disability so long as the accommodations do not fundamentally alter the objectives of the program. When the standards are not met and the student has been given appropriate accommodations, it is reasonable that the student may be denied certification in the program.

What if I am an adjunct faculty member and have a student with a disability enrolled in my course?

The Academic Adjustment Policy (UNM 2310) applies to all students enrolled in courses at UNM Main Campus, North Campus, and Branches. Adjunct faculty have the added burden of limited time on campus and access to departmental offices during business hours. Accessibility Resource Center would be happy to assist adjunct faculty in implementation of accommodations.

What if a student with a disability registered with Accessibility Resource Center is absent from class, should I require a letter from a physician before excusing the absence?

Verification by accommodation letter of reoccurring illnesses is adequate notification. A request for additional verification is appropriate for extended absences and hospitalizations.

What if a student in a wheelchair cannot evacuate using regular evacuation procedures?

Students with orthopedic disabilities may not be able to evacuate the building during an emergency when elevators cannot be used. The student is to move into the closest stairwell once traffic flow allows and wait for assistance from appropriate personnel. The student will rely on your assistance in notifying emergency personnel. The stu

Students with orthopedic disabilities may not be able to evacuate the building during an emergency when elevators cannot be used. The student is to move into the closest stairwell once traffic flow allows and wait for assistance from appropriate personnel. The student will rely on your assistance in notifying emergency personnel of their location.

Accessibility Resource Center
A Division of Student Affairs

Mission Statement

Accessibility Resource Center (ARC) recognizes individuals with disabilities as an integral part of a diverse community and is committed to the provision of comprehensive resources to the University community (faculty, staff, and student) in order to create equitable, inclusive, and practical learning environments.

Introduction

The office of Accessibility Resource Center offers services to the University of New Mexico (UNM) self-identified students with disabilities. Students with documented disabling conditions that affect a major life activity are eligible for these services. This includes students with visual, hearing, learning, and mobility disabilities, and chronic conditions. The primary duty is to help all students with disabilities gain equal opportunities throughout the campus community, with emphasis on education. Faculty and academic support staff may refer students when they have disclosed pertinent information regarding a specific disability. Publicity throughout the academic year promotes high visibility of the services we provide for students with disabilities.

Eligibility for Services

According to the criteria stated in Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, and UNM Policy 2310, we require that students give proof of a disabling condition by providing professional evaluations. Students requesting services must provide documentation of the disabling condition prior to initiation of services. The Accessibility Resource Center Documentation Committee will meet to determine eligibility and reasonable appropriate accommodations. The final step in the process is a meeting with Accessibility Resource Center staff and student to determine reasonable appropriate accommodations. Faculty notification occurs after determination of accommodations.

Background

Disability is a natural part of the human experience ...

-- The 104th Congress of the United States

Professional Guidelines and Ethical Standards

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 are Civil Rights laws. They affirm that people with disabilities should have access to the social, economic, educational, and cultural aspects of national life. Their impetus is the assertion by people with disabilities of their inalienable right to be treated as equals.

Section 504-Rehabilitation Act of 1973

In 1973, Congress passed Section 504 of the Rehabilitation Act of 1973 (Section 504), a law that prohibits discrimination on the basis of physical or mental disability (29 U.S.C. Section 794). It states:

No otherwise qualified individual with a disability in the United States. . . shall solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. . . .

The Office of Civil Rights in the U. S. Department of Education enforces regulations implementing Section 504 with respect to programs and activities that receive funding from the Department. Section 504 regulations apply to all recipients of this funding, including colleges, universities, and post-secondary vocational education and adult education programs. Failure by higher education schools to provide auxiliary aids to students with disabilities that results in a denial of a program benefit is discriminatory and prohibited by Section 504.

Americans with Disabilities Act of 1990

The Americans with Disabilities Act (ADA) of 1990 is the civil rights guarantee for persons with disabilities in the United States. It provides protection from discrimination for individuals based on disability. The ADA extends civil rights protection for people with disabilities to employment in the private sector, transportation, public accommodations, services provided by state and local government, and telecommunication relay services.

ADA expands the essential concepts of *Section 504* to all aspects of American society such as private employers, public accommodations (e.g., restaurants and motels), and the Telephone Relay system for the Deaf. Under Title II, the ADA strengthened the responsibility of public entities, such as state and local government, to ensure that qualified students with disabilities will not be discriminated against. Significantly, Title V of the ADA gives people with disabilities the opportunity to take their cases to court and to receive punitive damages along with their attorney's compensation. These additions give greater force to the law with which to overcome discrimination.

What is meant by otherwise qualified?

In short, Section 504 and Title II of the Americans with Disabilities Act (ADA) prohibit discrimination against students with disabilities who are otherwise qualified, and that when appropriate, such students must be provided reasonable accommodations. A student is considered otherwise qualified when the student meets or exceeds academic standards with the presence of a disability. When a student with a disability is accepted to the University, that student has demonstrated that he or she is a qualified individual, even with a disability. Thus, the University must then attempt to remove barriers within the student's program. All programs, but not necessarily all buildings or classrooms, must be accessible to students with disabilities. This is often referred to as program access.

In other words, students have a *right to access* upon meeting the qualifications. Once qualifications are met, it is illegal to arbitrarily eliminate students with disabilities solely on the basis of their physical or mental condition. To do so would be discrimination. Failure to remove program barriers by refusing or denying reasonable accommodations would also be a form of illegal discrimination. The law does not mean that students get special considerations, but that they should enjoy a level playing field in which to compete, succeed, and thrive.

Violation of Section 504 carries with it the threat of loss of Federal funds, including Federal research grants and student financial aid.

Making the Transition to UNM

The Differences Between High School and University

The differences between the accommodation process in high school and the university can pose an initial challenge for students who are use to the secondary school environment. These differences can largely be contributed to the laws that govern the provision of accommodations in the post-secondary and secondary settings. Colleges and universities are governed by Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA). These laws ensure equal access to individuals with disabilities who are otherwise qualified to meet the essential demands of a university program. High schools, in addition to Section 504 of the Rehabilitation Act and ADA, are primarily governed by the Individuals with Disabilities Education Act (IDEA). IDEA is an entitlement law that requires that children with disabilities receive a free and appropriate education. Incoming students will find that at UNM there is a greater emphasis on personal responsibility and self-advocacy as compared to a secondary setting. Accessibility Resource Center is here to facilitate a smooth transition between these two educational environments.

What is a Disability?

Eligibility for protection under the ADA and Section 504 requires the applicant to meet one of the following three criteria:

1. Have a physical or mental condition that substantially limits one or more major life activity.
2. Have a record of such a physical or mental condition.
3. Be regarded as having such an impairment, whether actually having the impairment or not.

Examples of disabilities include, but are not limited to the following:

Arthritis
Attention deficit disorders
Blindness/low vision
Cerebral Palsy
Communication disorders
Deafness/hearing impairments
Emotional/psychological disabilities
Multiple Sclerosis
Muscular Dystrophy
Seizure disorders
Specific learning disabilities
Spinal cord injuries
Traumatic brain injuries
Other health impairments

How does Accessibility Resource Center verify a disability?

Students with Learning Disabilities and Attention Deficit Hyperactivity Disorder

A copy of the comprehensive psycho educational report must be provided to The University of New Mexico, Accessibility Resource Center in order for the student to be eligible for accommodations and/or modifications. Documentation should include testing scores and a verifying statement from a school psychologist, clinical psychologist, neuropsychologist, or other qualified professional. This group of students comprises the largest population of students served by Accessibility Resource Center. Learning disabilities affect the manner in which individuals acquire, integrate, and/or express knowledge. Learning disabilities may affect a student's performance in reading, writing, spoken language, mathematics, or orientation to space and time.

Students with Visual, Hearing, Physical, and Chronic Medical Condition Disabilities

Accessibility Resource Center requires medical records for students with visual and/or hearing disabilities and, in particular instances, may accept verification of disabilities from the Department of Human Services, Division of Vocational Rehabilitation (DHS/DVR). Documentation must include narrative explanation for clarification and may include an audiogram and/or optometric results. Documentation must include specific restrictions due to a physical disability and potential accommodations required.

Visual Disabilities

Visual disabilities may vary from total blindness to low vision. Students with visual disabilities may experience eyestrain, light sensitivity, and an inability to read printed material or to distinguish certain colors. Students who have been blind from birth have no visual memories. Their concepts of objects, space, and distance may be different from those persons who develop visual disabilities later in life. Mobility and orientation skills also vary due to numerous factors. Students with low vision may not have an apparent "visible" disability. Students may experience difficulty in performing in class readings, unannounced quizzes, open book tests, locating lecture information, completing Scantron answer sheets, or viewing lecture notes.

Deaf and Hard of Hearing

The age of onset of a hearing disability will have a great impact upon the student's English ability, both spoken and written. Generally, English is considered a second language for deaf and hard of hearing students when signed language is the dominant mode of communication. Appropriate requests include use of a Signed Language interpreter, real-time captioning, note taking, providing all directions in writing, and closed captioned videos.

Physical Disabilities

Physical access is one of the major concerns for students with physical disabilities. Students may encounter unavoidable delays during inclement weather, heavy foot traffic times, and periods of construction. If a classroom is inaccessible, Accessibility Resource Center will work with the department to relocate the class to an accessible location. In order to fully participate in classroom activities some students may require educational assistants as an approved accommodation. When a course requires travel to alternative locations, those locations and transportation must be accessible.

Chronic Health Conditions

There are a number of chronic health conditions that may interfere with a student's academic work, concentration, and attendance. Some students may be in pain, or taking medication with varying side effects such as drowsiness. Students with seizure disorders may be affected at any time without warning. Some medication can lessen or control seizures, but produce side effects such as slowed response and impaired coordination. Such medication makes it unlikely a seizure will occur in class. Faculty should contact emergency personnel when seizures occur.

Students with Psychological Disabilities

Accessibility Resource Center requires a letter from a clinical psychologist, psychiatrist, or DHS/DVR. Documentation may include diagnostic treatment information, and potential medication side effects. Psychological disabilities include, but are not limited to, depression, bipolar disorder (or manic depressive disorder), anxiety disorders, and schizophrenia. Determination of eligibility of services is based on severity, duration, and onset of the disorder. On rare occasions, classroom behavior may become an issue. All students are expected to maintain appropriate behavior. If problems occur, consulting the Student Code of Conduct and handling the behavior issues according to departmental policies is appropriate. Accessibility Resource Center is available for consultation when necessary. Some students undergoing treatment take prescription medication to help control symptoms. This medication may have side effects such as drowsiness or disorientation.

What are functional limitations?

A disability must limit functioning in one or more major life activity before one can receive an accommodation. The effect of a disability on program access is referred to as a functional limitation. A physical or mental condition, in and of itself, does not necessarily require accommodations. There must be a logical link between the functional limitation stemming from the disability and the accommodation requested. Accessibility Resource Center staff first identifies functional limitations through discussion with the student and a review of documentation. Accessibility Resource Center staff provides the student with information about the accommodations for which the student is eligible.

Example: A student who is blind cannot see to read print in textbooks. The disability, blindness, causes the functional limitation, an inability to read printed text. Thus, the student may choose the accommodation of reading the text in an alternative format such as Braille or audiotape. On the other hand, blindness doesn't prevent one's ability to take notes during a course lecture when Braille and other electronic devices are available. Therefore, a student who is blind may not be eligible for the accommodation of note-taking services because the functional limitations of blindness do not affect the ability to take notes using Braille or electronic devices.

Confidentiality

All student records that the Accessibility Resource Center collects are regarded with strict confidentiality. The Accessibility Resource Center does not reveal the details of the disability diagnosis of any student registered with the office. Accommodation letters emailed to professors do not include specific diagnoses. Instead, the letters explain that the student has provided appropriate documentation of a disability and lists the approved academic accommodations for that student.

No information will be released to any internal or external individual, departments or agency without the written permission of the student. Instructors are cautioned against identifying students with disabilities unnecessarily to their peers or other colleagues without the student's consent. Announcing, for example, at the beginning of an exam that all students with disabilities should come to the front of the class would violate the students' right to confidentiality.

What is the Responsibility of: Accessibility Resource Center, Students with a Disability, and Faculty?

Accessibility Resource Center is responsible for:

- Verifying disabilities and need for accommodations.
- Recommending reasonable accommodations.
- Informing students of their rights and responsibilities.
- Advocating program access.
- Problem-solving with student and, if necessary, the instructor, in response to student concerns regarding the implementation or consistency of reasonable accommodations.

Accessibility Resource Center does not have either the right or the responsibility to look over the shoulders of students with disabilities. Students are ultimately responsible for themselves. Accessibility Resource Center works with students and, when appropriate, with their instructors, to determine two things. First, which accommodations are reasonable and second, identification and referral for other campus and community services that may be appropriate. Accessibility Resource Center provides students with the tools necessary for their academic success.

Students are responsible for:

- Self-Identification.
- Requesting reasonable accommodations in a timely manner.
- Meeting the academic standards expected of all students.

If an accommodation is ineffective or has not been provided and it is impacting performance bring it to the attention of the disability specialist. You and your disability specialist will then decide an appropriate action plan which may include both formal and/or informal options as outlined under Exhibit A of UNM Policy 2310 **Academic Adjustments for Students with Disabilities: Appeal Rights Procedures**

Ultimately, responsibility lies with the student. They must contact Accessibility Resource Center and faculty with questions and concerns in a timely manner. Through the cooperation of all parties reasonable accommodations are provided.

Faculty is responsible for:

- Being open to accommodating students.
- Providing program access.
- Meeting with students to discuss their needs.
- Implementing reasonable accommodations.
- Maintaining confidentiality.

Faculty members are responsible for assisting in the provision of accommodations as described in the accommodation letter. Any concern related to an accommodation fundamentally altering

the academic curriculum should be brought to the attention of the student and disability specialist. All parties will engage in an interactive process to determine the reasonableness of the request and ensure equal access is maintained.

Everyone is responsible for:

- Engaging in an interactive discussion of reasonable accommodations for specific courses and degree program.
- Problem-solving issues/concerns.
- Maintaining academic standards for course and degree program.

Process regarding denial or failure to accommodate during an academic semester:

- Student submits appeal to academic department.
- If resolution does not occur:
 - Appeal to Provost/HSC designee
 - Ad hoc committee of 3-5 members is convened
- Student may also submit a discrimination claim to the Office of Equal Opportunity

Please see UNM Policy 2310, Exhibit A

(http://www.unm.edu/~ubppm/ubppmanual/2310ex_a.htm) for a full text of the appeal process.

Grade appeal involving failure to accommodate after academic semester:

- Upon receipt of a grade appeal from a student which asserts a failure to accommodate, the academic unit can request guidance from ARC and/or OEO to verify whether a failure to accommodate occurred.
- If it is determined that a failure to accommodate occurred, the academic unit shall take such fact into consideration to equitably resolve the grade appeal. Further, the student may simultaneously pursue a claim with Office of Equal Opportunity pursuant to its Discrimination Claims Procedure.

(<http://www.unm.edu/~oeounm/discrimination/DiscriminationClaimsProcedure.pdf>)

Please see UNM Policy 2310, Exhibit A and Policy 3100 for a full text of the appeal processes.

What is a reasonable accommodation?

Reasonable accommodations are adjustments in the learning environment that permit students with disabilities to compete at the University. The accommodations modify nonessential elements of University programs.

Examples include, but are not limited to:

- Extended testing times
- Books on tape
- Large print material
- Signed language interpreters
- Adaptive computer software
- Accessible classrooms
- Alternative textbook format
- Note takers

Accessibility Resource Center coordinates and provides reasonable accommodations to qualified students with disabilities. Accommodations are individualized to address specific functional limitations resulting from a disability. There must be a logical link between the functional limitation and the accommodation.

The director and program specialists rely heavily on documentation of the disability when determining accommodations. The student also participates in a discussion of limitations and possible strategies. Accommodations not requested by students will not be provided.

Students with disabilities must perform at satisfactory levels in their academic pursuits at the University of New Mexico. If you do not request reasonable accommodations and perform poorly without them, your civil rights have not been violated and you must deal with the consequences of unsatisfactory academic progress.

Are these accommodations fair to other students?

This question is often asked of students with disabilities. The underlying assumption of the question is that fairness and equal treatment are synonymous with “the same” treatment. However, the same treatment doesn’t always measure fairly.

ADA and 504 of the Rehabilitation Act protect students with disabilities. The assumption of the law is that modifying non-essential tasks through accommodations should give the student with a disability an equal or fair chance to demonstrate their ability.

A student whose limitations in the way they learn, i.e., a learning disability that involves eye hand coordination or thought processing, may need accommodations that assist with their learning. These include, but are not limited to books on tape, readers and scribes for tests, screen readers, or help with marking Scantron answer sheets. Providing these accommodations helps with effectively expressing the knowledge of the course subject.

Make a point to give case-by-case consideration as required under the law. What one student receives does not necessarily mean that other students with disabilities will receive the same accommodations. The laws protect students with disabilities from being measured in an area that they cannot show their true level of abilities. Reasonable modification allows students with disabilities an equal opportunity to perform at a standard equivalent to students without a disability. While an accommodation may present an advantage to students without a disability, it isn’t an advantage for a student with a disability, but an equalizer.

Example:

A student whose limitations in the physical task of writing or other fine motor manipulations may be an excellent writer even though they cannot print or type the letters and words. Thus, the physical act of writing is a non-essential task. The student’s mastery of language and course material must not, under the law, be judged by their ability to manipulate a pencil or pen, or by use of a keyboard. Accommodating the student by providing a scribe or allowing the use of computer software to record the student’s essay responses permits the student to show whether they can write effectively and whether they have acquired the information and critical skills the instructor wished to convey in the course.

Arranging for Accommodations

Before Accommodations are Implemented

Students with disabilities meet with Accessibility Resource Center staff confidentially as a first step in arranging accommodations. The staff verifies the disability and determines how the disability affects academic work. This is accomplished through discussion with the student and a review of documentation.

Accommodation Process

After the disability and its functional limitations are verified, the student is provided information about the various reasonable accommodations that address the student's disability. The student then chooses the reasonable accommodations that best apply in a given course or semester.

1. Students indicate the need for accommodation letters through submission of course schedule each semester to the department.
2. Accommodation letters are sent by email to each requested faculty member appearing on the student semester schedule.
3. Faculty are informed of the presence of a signed language interpreter or special accommodations in the classroom prior to the start of the semester.
4. When faculty/staff have been notified, additional clarification and discussion may occur.

When are accommodations not provided?

The University provides accommodations unless they fall under one of the following three categories:

Fundamental Alteration

If an accommodation reduces the academic standards of the University, its colleges, departments, or its courses, the University denies the accommodation and deems it unreasonable. Academic standards are essential for any student. Determination of a fundamental alteration is made by Accessibility Resource Center after discussion with faculty on the essential components of the course or major. Students with disabilities must acquire the same knowledge and skills as other students.

Undue Hardship

If an accommodation costs too much or is impossible to administer, the accommodation is deemed unreasonable. An undue administrative burden occurs when the University doesn't have enough time to respond to the request, or when it would be impossible or infeasible to administer. In every instance, the University reserves the right to offer other, equally effective accommodations. In twenty years of case law and findings under Section 504 and the ADA, the federal government has **never** allowed a post-secondary institution to claim undue financial hardship as a legitimate refusal to provide auxiliary aids or services.

Personal Service

If a request for an accommodation falls under the definition of a personal service, the University

is not responsible for providing the request. Personal services are those that a person with a disability must use regardless of attendance at the University. In addition, personal services are those for which no correlation between the disability's functional limitation and program access can be established. The University, for instance, does not purchase wheelchairs or other assistive technologies used in every setting to compensate for a mobility disability. Other examples of personal services may include independent living, mental health, rehabilitation, remediation and homework assistance.

Academic Adjustments

The following is a descriptive list of typical academic accommodations available to students with disabilities. Determination of the appropriateness of any given accommodation is done by Accessibility Resource Center prior to implementation by faculty.

Access to Class Notes

Digital recording lectures and/or Smartpen

Students may use personal digital recorder, note taking app, or smartpen to record lectures. Digital recorders and smartpens are available for loan through Accessibility Resource Center as needed.

Class notes provided by the instructor

Faculty often provide class notes to students and fulfill the need for note taking assistance. A good study strategy for all students is to augment the PowerPoint slides or overheads by taking additional notes during the lectures. This will help you to recall the information as you prepare for exams.

Supplemental notes by a peer volunteer

Students approved for peer volunteer note taking must register with the Accessibility Resource Center (ARC) and provide a class schedule each semester to initiate this option. This should be done before the start of each semester or as soon as the need arises. Students can register for note assistance in person, by phone, or by emailing the Program Specialist.

Accessibility Resource Center seeks assistance from faculty to make a general announcement at the initiation of the accommodation request. An e-mail is sent from asnotes@unm.edu requesting an announcement be made. The message contains all pertinent details. In the event a note taker is not found, the coordinator of note taking services will announce the need for a note taker in the student's class in order to provide the service. Students needing a note taker will remain anonymous unless they wish to self-identify to their note taker. Accessibility Resource Center provides written instructions to the note taker. Every effort will be made to find a qualified note taker within 15 working days of the request as outlined in the University of New Mexico Policy 2310 Academic Adjustments for Students with Disabilities. It is the student's responsibility to notify ARC if there is a problem with access to class notes or the note taker is not showing up to class. It is mandatory that students using the services of a note taker attend all class sessions as note taking assistance is not a substitute for attendance.

Ways to secure a copy of class notes:

1. **Electronic notes**—Some students take notes on their laptops and do not want to use carbonless paper. In these situations, the note takers can email their notes to the

student. When the student prefers to remain anonymous, the volunteer can email the notes to the professor or the appropriate Accessibility Resource Center administrator.

2. **Blackboard/Classroom resources**—Some instructors put their own notes on Blackboard or WebCT and these may be sufficient for the student with a disability. In other instances, the teaching assistant takes notes, which can be made available after class. It is important to remember that copies of Power Point presentations may not include additional information that was discussed in class and may not be sufficient. In addition, Power Point presentations are typically not accessible to students with visual disabilities who are using screen reading software. In these instances, they should be converted into an accessible format (e.g., Word or PDF). Please contact Accessibility Resource Center if you need assistance.
3. **Departmental copy machine**—At times, it may be necessary for the note taker to use a departmental copy machine rather than carbonless paper. Arrangements are made for the department or Accessibility Resource Center to cover the cost of the copying rather than the note taker or student with a disability.

Important Reminder: If the student asks for your assistance in soliciting a volunteer, keep his/her name confidential.

Accessible Classrooms

Accessibility Resource Center will arrange access to classrooms for students with physical disabilities, photo sensitivity to florescent lighting, or chemical sensitivity and request a change of classroom location if necessary. We will make alternative desk or table accommodations for writing surfaces.

Alternative Test Taking Arrangements for Lecture Courses

Alternative test taking arrangements (oral testing, extended time, use of scribe, alternative format, and distraction free environment) are available to students approved for this accommodation.

Test Requests

1. A student goes to Accessibility Resource Center or telephones to schedule a test with 5 business days' notice.
2. A test accommodation form noting pertinent information is prepared via the departmental website or hand written by the testing coordinator.
3. If 5 business days' notice is not provided the testing coordinator will make a determination on if the accommodations will be afforded. When adequate advice warning is not given, the student should report to class and take the exam under standard conditions.
4. Notification to faculty occurs at the time the student requests the exam accommodation via an automated email from arcstaff@unm.edu. Telephone contact may be made when less than 5 business day notice is provided by the student.
5. Faculty provide the exam to the Accessibility Resource Center:
 - a. Leave the exam for pick up in the departmental office.

- b. Or email attachment to arcstaff@unm.edu.
- c. Or faxing to 277-8750.

Administering Tests

1. Student reports to Accessibility Resource Center for exam at scheduled time.
2. Student is allowed only the items listed on test request or designated by instructor on exam or via email message.
3. Student is monitored by video camera throughout exam period.
4. Student is warned with 15 minutes remaining in the exam time.
5. Exam is picked up from student if time expires prior to completion.

Returning Tests

1. Accessibility Resource Center schedules two return deliveries of exams per day. The first delivery is prior to 11:00 A.M. with the second delivery after 3:30 P.M..
2. Exams completed after 3:30 P.M. are returned as early as possible the next working day.
3. Faculty may pick up completed exams at the conclusion of the student's exam session if desired.
4. Completed exams may also be scanned into a PDF document and sent as an email attachment when requested.

Online Exams

Arrangements are made on a case-by-case basis. Please contact the testing coordinator as soon as you are made aware of pop quizzes to initiate discussion with your professor on the best procedure for implementation of testing accommodations.

Unannounced Quizzes

Arrangements are made on a case-by-case basis. Please contact the testing coordinator as soon as you are made aware of pop quizzes to initiate discussion with your professor on the best procedure for implementation of testing accommodations.

Alternative Textbook, Course packets, Syllabi, and Video Format

Students with visual or learning disabilities may arrange audio or electronic formats through Accessibility Resource Center. At the beginning of each semester the student is responsible for informing the Accessibility Resource Center office of books that they need in alternative format.

Accessibility Resource Center will provide alternative format for textbooks once the student provides a course syllabus and proof of book purchase for the class. The Accessibility Resource Center office staff will complete the alternative formatting according to assignments in

the respective syllabi. Textbooks may be available has audio files or electronic text that allows the student to **hear** or **enlarge** the text.

Please make your book selections, compiled course packets, and syllabi available prior to the start of the semester. Students who are blind, have visual impairments, or have learning disabilities affecting their reading rates and comprehension, require printed materials that are transformed into alternate formats. Conversion of text into a spoken format or Braille can be a time consuming process, taking several months to complete. Your syllabus is required to determine the extent to which each text will be used and the order in which reading assignments will be completed.

Some students will rely on having printed material scanned and saved in computer format that can be listened to using voice output software. If you are collating various journal articles and portions of books into course packets, please use original copies or a copy that is as clean as possible. Creating course packets using second, third, and fourth generation copies of material (copies made from copies, etc.) may cause images of text that are fuzzy. Such blurring often makes it impossible for character recognition software to decipher images as readable text. If material included in course packets is not all of top quality, Accessibility Resource Center would appreciate being able to briefly borrow your originals for scanning.

You may also wish to ask if the publishers of the books you are considering have created electronic text (e-text) and/or audio versions of them. If possible, select a textbook with an accompanying study guide to maximize comprehension for all students. Choosing one that does will ensure that the reading materials are accessible.

Finally, consider using captioned versions of videos as these are extremely helpful for deaf or hard of hearing students and students who have auditory processing difficulties. Although some videos used in classes are already captioned, others are not. If you are aware that you will be using videos in a class with an enrolled deaf or hard of hearing student, please contact Accessibility Resource Center to discuss how to determine if a video is captioned or what alternatives might be available. When requesting audio-visual equipment, make sure you request equipment with a captioning decoder.

Adaptive Equipment and Software

Adaptive equipment and software are available in the Accessibility Resource Center and Accessibility Services Room at Zimmerman Library. Installation in other labs and classrooms is done upon request by faculty or student.

CCTV

Students with low vision use the CCTV machine with magnification capabilities up to 7X. Portable versions are available for student use in high visual context courses (i.e. mathematics, chemistry, biology, etc.). Color video magnification and black/white models are assigned to classrooms on a priority need basis. The Zimmerman Library houses a CCTV in the Accessibility Services Room. Portable models are available for student check out as needed.

Computers

For completion of essay exams or accessing information using adaptive software, computers are available for student use at the Accessibility Resource Center, the Accessibility Resource Center room in the Zimmerman Library.

Computer Screen Magnification Software

Screen magnification software is available for students with low vision who need 2X to 16X magnification.

Core Course Substitutions and Waivers

The University of New Mexico may allow course substitutions for students receiving Accessibility Resource Center services, based on strong documentation of a weakness related to the disability in a specific area. A student must write a letter of appeal and meet with your program specialist from Accessibility Resource Center. The letter of appeal or departmental form should contain at least the following:

- The student's name, address, student identification number, and major.
- A description of request.
- An explanation of the student's disability.
- Rationale for the request.
- Any past history of any previous attempts to complete courses similar to the core curriculum subject.
- Any history of similar requests granted by **any** college, university or high school.

A letter from Accessibility Resource Center should accompany the student's request verifying the disability, date of initiation of services, and an indication of how long the student has had the disability.

Action by The University

The following outlines the procedure for the implementation of a course substitution.

- The student's academic advisor will review the student's request.
- The potential impact on the student's degree and potential substitution course(s) will be determined by the appropriate program.
- All information will be forwarded to the designee of the College Dean.
- The Dean's office makes the final determination on the appropriateness of the request.
- The Dean's office will notify the student in writing of its decision.
- If they **deny** the request, the student may request reconsideration by the Academic Adjustment Policy Committee by writing another letter and providing any new material the student deems pertinent.
- If they **deny** the request a second time, they will require the student to meet the University requirement. The Academic Adjustment Policy Committee will notify the student in writing of its decision.
- If they **approve** the request, the Academic Adjustment Policy Committee will notify the student in writing of its decision.
- Policy 2310 on academic adjustments for students with disabilities allows for 15 days for a decision to be made.

Digital Audio Player/Recorders

Digital players/recorders are available for student use throughout the academic year to record lectures.

Distinctive Classroom Accommodations

At times, a student may require a distinctive accommodation due to the nature of the course or current health issues. Accessibility Resource Center will serve as liaison to the faculty for unique accommodations and assistance. Specific accommodations will be determined before enrollment or early in the current semester. Should a student approach with an accommodation request beyond those listed on the accommodation letter, contact the director of Accessibility Resource Center to discuss.

Educational Assistants

On occasion it is necessary to employ educational assistants so equal access can be provided. Arrangements are made by Accessibility Resource Center in consultation with faculty. The purpose of the assistants is to perform tasks under the verbal direction of the student with disability due to limited mobility. Lab courses are a typical example of when an educational assistant may be used.

Enlarged Material

The Accessibility Resource Center office staff can enlarge exams and course handouts. Students should bring these materials to the office, allowing adequate time for completion.

Equipment Loan

Students may check out equipment, e.g., tape recorders and FM Assistive Listening devices for use in the classrooms.

FM Assistive Listening Systems

FM Assistive Listening Systems are available in the classrooms for students who are hard of hearing. The system allows amplification of the lecturer's voice or audio portion of a videotape and filters out any extraneous noises.

Housing Requests

ARC is the certifying department for ADA housing requests. Students are required to follow the same procedures for initiation of services. Once completed your Program Specialist notifies Student Life and Housing of the requested accommodations. This process is necessary for each contact renewal.

Personal Care Assistant

Students are responsible for the hiring, payment, and maintenance of personal care assistants (PCA). At the student's request ARC will assist in provision of local agencies that provide attendant care services on a regular basis. The PCA is required to follow all UNM policies and regulations. Specific details related to the use of PCA in classrooms and University Housing are discussed with your program specialist during the intake process or prior to enrollment.

Picture in a flash (P.I.A.F.)

The P.I.A.F produces high quality tactile graphics by using heat sensitive capsule paper. The raised images provide quick and easy access to geography, mathematics, orientation and mobility training, all science subjects and more.

Reduced Courseload and Scholarships

ARC is designated to certify students with disabilities taking reduced courseloads for the New Mexico Lottery Scholarship, Amigo Scholarship, Presidential Scholarship, and National Merit Scholars.

Screen Reading Software

Screen reading software gives students with visual disabilities access to the Windows operating system environment.

Service Animals

In keeping with federal and state law, the University of New Mexico recognizes its responsibilities to extend equal access to individuals with disabilities who use a Service Animal on University property. The University will not discriminate against individuals with disabilities who use Service Animals nor, deny those persons access to programs, services and facilities of the University (University of New Mexico Policy 2295).

Sign Language Interpreters

Accessibility Resource Center schedules sign language interpreters when it is determined to be a reasonable accommodation. We will schedule signed language interpreters for both academic and University co-curricular activities when the student makes this request. Requests for interpreter services must be made at least one week prior to the event or activity taking place in order for Accessibility Resource Center to have enough time to contact and schedule a qualified interpreter.

Tiger Embosser, Juliet Braille

This equipment converts printed English text to Braille through the Duxbury Braille Translator.

Tutoring Assistance

Accessibility Resource Center does not offer one-on-one tutoring. Students seeking tutoring services will be referred to the Center for Academic Support (CAPS) located on the third floor of Zimmerman Library. CAPS provides tutoring for most undergraduate courses at the University of New Mexico. CAPS tutors are available at ARC for a limited number of hours per week for writing and lower level math tutoring. Students should speak with your Program Specialist for specific details on CAPS tutoring at ARC.

Voice Activated Software

Voice Activated Software helps students with visual, learning, and physical disabilities complete written assignments independently by voice-activated processing rather than keyboard processing.

Voter Registration

ARC is a voter registration site. Students registered with ARC may register to vote or change voter registration during office hours. Contact your Program Specialist for specific details.

Due Process Issues

If you are uncertain about the reasonableness of an accommodation, you have several options. First, you may ask the student for a letter of verification from Accessibility Resource Center to ensure that the accommodation is one recommended. If the letter doesn't contain any mention of the requested accommodation, you may contact Accessibility Resource Center. Some accommodations might be requested even though they have not previously been discussed with Accessibility Resource Center. Contact Accessibility Resource Center if you are unsure if a request is reasonable or disagree with the recommendation.

What happens if my professor does not comply?

If a professor does not provide an accommodation that is reasonable and legitimate, the student has several options, both formal and informal. While Accessibility Resource Center staff defaults to the level of action that intervenes the least between the student and the professor, we also have an ethical obligation to inform students of their rights to due process under the law.

Informal options, and therefore the least interfering ones include the following:

- Clarifying to the professor your rights as a students. Accessibility Resource Center is happy to coach you on how to best discuss the accommodations with your professor.
- Accessibility Resource Center staff may phone your professor to further clarify the issue and to ensure he or she understands the civil rights of students.
- Student and Accessibility Resource Center staff meets with professor.
- Student may contact chair or dean for assistance with the situation.
- The student may seek mediation/advocacy in the University Grievance Policy.

In most instances the academic adjustment determination made by Accessibility Resource Center will be acceptable to the student and faculty. However, if that is not the case, the determination is subject to appeal. In addition, the student can appeal a determination by an academic unit that an adjustment would result in a fundamental alteration of a course or program. The Provost/HSC Dean, or designee, will convene an ad hoc committee to consider the appeal. Members of the ad hoc committee will include representatives from relevant University departments as determined on a case-by-case basis. The ad hoc committee will follow the appeal procedures listed in **Exhibit A**. The ad hoc committee will make a recommendation to the Provost/HSC Dean, or designee, whose decision on the appeal is final for the University. Every effort should be made to arrive at a determination of the appeal as expeditiously as possible.

The student may wish to file a formal, internal complaint with the OEO/ADA Compliance office on campus. This review process will attempt to determine if discrimination on the basis of disability has occurred, and recommend resolution.

The student always has the right to file formal complaints with either the New Mexico Human Rights Commission or with the U.S. Dept. of Education's Office of Civil Rights. This process takes longer before the situation is resolved, but carries with it greater threats to the University as a whole in the event of adverse findings.

Frequently Asked Questions

Will I have the same accommodations I had in high school?

Not necessarily. The goal of accommodations in higher education is to promote equal access and opportunity. Thus, accommodation decisions are made on a case-by-case basis with reference to specific functional limitations. As an example, not all students with learning disabilities will receive extra time on tests. Similarly, students who used extended time in high school, but whose scores do not support a clear need for this currently, will likely not be granted this accommodation at the University. Conversely, other accommodations that were not used in the secondary school environment (e.g., note taking) may be appropriate in college.

I have a learning disability and was last tested when I was a freshman in high school. Do I need to get tested again?

Most likely. Accommodation decisions are based on one's current functioning, which means that documentation must reflect the current nature of one's difficulties. While it is recognized that most students do not outgrow their disabilities, their needs may change over time. Thus, a current assessment using adult-normed tests is essential.

What do I do if I am absent due to my disability?

Attendance during scheduled class times is a necessary part of the learning process. Accessibility Resource Center staff may recommend flexibility in attendance requirements for some students. Generally, this accommodation is requested when the nature of the disability results in varying functioning levels, i.e., "good and bad days." Flexibility is negotiable, contingent upon the student and circumstance. Variables such as the course, the material and the necessity of interaction in the classroom are all factors considered.

Example: Discourse between an instructor and a student is a critical aspect of learning in a literature course. Thus, it would not be possible simply to read the assigned texts and copy another student's notes before an exam. Similarly, a science lab course requires students to work, often together, to observe phenomena in experiments and record findings. In these examples, minimal leniency is appropriate.

In other courses, such as large lecture courses, there may be more flexibility in attendance than in the previous two examples. Discussion between the student and instructor is essential. Accessibility Resource Center staff is also willing to participate in such discussions. Students should understand there is no substitution for attendance and participation. Exam grades may reflect this and would not be altered as a result of missed material due to absence leniency.

What do I do if my classroom is not accessible?

Classrooms may be moved if the room is inaccessible to a student registered in the course. Whenever possible, the least intrusive intervention is taken. For instance, a student may be moved to another section of the same course at the same time if that section is scheduled in an accessible location. Faculty should be advised that not all students with severe mobility disabilities, who may require room changes, have visible disabilities. Instructors will be notified by Accessibility Resource Center before classroom changes are finalized.

Can I receive accommodations for field trips, internships, or student teaching?

Many courses at The University of New Mexico occur outside the traditional classroom or laboratory, and many programs require the completion of such courses as part of the

standard curriculum. Accessibility Resource Center adheres to its over-arching policies regarding program access, reasonable accommodations and prohibition against discrimination with respect to these educational experiences.

Examples of such courses are:

-  field trips
-  field experiences
-  practicum
-  student teaching
-  professional internships
-  study abroad

When a student asks us to do so, Accessibility Resource Center provides reasonable accommodations such as readers, scribes, signed language interpreters, and assistive technology. Accessibility Resource Center covers the cost of some of these accommodations, and arranges cost sharing with DHS/DVR for others when the student is eligible for that program. Many accommodations are at no cost and can be provided on site. For example, desks can be raised by blocks of wood to permit use with a wheelchair, workstation lighting can be modified, and other no-cost accommodations can be provided upon request. At no time does a student pay fees for reasonable accommodations. However, personal services such as personal care attendants, drivers, etc. are the responsibility of the student.

The student arranges a practicum, internship, field trip or field experience, or overseas study program through their instructor, advisor, professional school or other appropriate division of the University. If accommodations are likely to be required, the student must make the request. For example, use of an aid in student teaching would be requested by the student in advance. The purpose, activities, and time necessary for the accommodations would be discussed by Accessibility Resource Center and the student, along with the practicum supervisor. Staff at the practicum site may need to be included as well. In other cases, the student makes the requests directly to the practicum site personnel, and comes to Accessibility Resource Center only for services that would involve some cost, such as readers or scribes. Accessibility Resource Center and the student agree on which accommodations are necessary and reasonable, and the authorization to implement them (such as hiring a reader or being assigned a signed language interpreter) is granted to the student. Supervising faculty should discuss the potential need for accommodations with students when appropriate.

I need a Signed Language Interpreter. Where do I request interpreter services?

Deaf and hard of hearing students who register with Accessibility Resource Center may be eligible for interpreter services. Contact Accessibility Resource Center at 277-6605 to make an appointment or request an interpreter. If you would like to request an interpreter for a University-sponsored event, class or meeting please contact the department sponsoring the event to request the interpreter. You may refer the department to Accessibility Resource Center for further information.

I am nervous about talking to my professors. How should I approach them about my need for accommodations?

Accessibility Resource Center strongly encourages students to meet with professors during office hours and/or to arrange an alternate meeting time so that there is sufficient time to

discuss the accommodation letter and how your accommodation needs should be met in his/her class. Most faculty are familiar with the accommodation process and should be encouraged to call Accessibility Resource Center if they have questions. Meeting with faculty face-to-face is essential in order to work out logistical details related to specific requests (e.g., where you will be taking your exams if you need a reduced distraction environment). Meeting during office hours versus immediately before, during, or after class allows for more privacy and opportunity to discuss details.

I spoke with my professor during the first week of class about my accommodations and then reminded him five days before the exam. However, during the test, he said I could not have the extended time for which I was approved. What do I do?

While it is not anticipated that this type of difficulty will occur, if you do have problems with a professor providing appropriate and agreed upon accommodations, you should contact Accessibility Resource Center. We will attempt to resolve the issue by making contact with the faculty member and/or other relevant parties as necessary.

Tips for Success at The University of New Mexico

 **COMMUNICATE WITH ACCESSIBILITY RESOURCE CENTER.** Accessibility Resource Center is here to support you while you pursue your educational goals. Remember to keep us informed on your needs so that we may provide to you the best services possible. If you are working with note takers, interpreters, readers, tutors, or other service providers, be sure to give us feedback both negative and positive. This will insure that you receive everything you need to be successful at UNM.

 **SCHEDULE STUDY TIME.** Schedule a specific time each day for reading and studying course materials. For best results, study in a location where you feel comfortable and that provides a quiet, distraction free environment. This will allow you to keep up with the assigned readings, as well as become familiar with important vocabulary and course concepts that will be included in class lectures. Studying course material ahead of time will also help you take better notes.

 **KEEP A CALENDAR.** Record what you need to do each day in a calendar. Write in exam dates, when papers are due, reading assignments, and scheduled study times. How much time you will need for each assignment will depend upon the length and difficulty of the assignment. Schedule each task on the calendar as a daily assignment that must be completed. Allow extra time in the schedule. That way if you have a problem you have time to deal with it. Don't procrastinate. Work within your scheduled timeframe, and stay ahead of homework assignments.

 **ATTEND CLASS.** This may seem like an obvious one, but it can become tempting to miss class especially as the work load increases. To avoid this temptation, sign up for classes during times when you do not have any other activities scheduled, such as work. That way your other activities will not overlap or encroach upon your class and study time. Learning how to manage your time lowers the stress you will feel as your course work increases.

 **BALANCE YOUR WORKLOAD.** Selecting an appropriate set of classes is an important first

step. Talk to your academic advisor, faculty members, and other students about classes that you are considering. Ask questions about the class format; class requirements such as amount of reading, papers assigned, type of tests given; and the instructor's teaching style. When you are deciding which classes to take remember to take a less demanding class along with more demanding classes each quarter or semester. This will help you balance your workload.

Adaptive Evacuation Procedures

Hearing Impairment

- If possible, flicker the lights when entering an area/room to get the person's attention.
- Establish eye contact with the individual, not the interpreter, if one is present.
- Use facial expressions and hand gestures as visual cues.
- Check to see if you have been understood and repeat if necessary.
- Offer pen and paper
 - Write slowly and let the individual read as you write.
 - It is important for you to understand them as well; therefore written communication may be especially important.
 - Keep instructions simple, and use basic vocabulary in the present tense.
- Avoid interruptions while trying to communicate.
- Be patient!
- Provide the person with a flashlight to signal their location in the event they are separated from the evacuation group.

Visual Impairment

- Announce your presence and identify yourself, but do not shout unless background noise warrants it.
- State the nature of the emergency and then offer your arm
 - As you walk advise them of any obstacles.
 - Be sure to mention stairs, doorways, narrow passages, ramps, etc.
 - They may choose to walk slightly behind you to gauge your body's reaction to obstacles.
 - If leading several individuals with visual impairments, ask them to guide the person behind them.
- Do not grab or attempt to guide them without first asking them.
- Offer assistance but let the person explain what help is needed.
- Any written information will need to be communicated orally.
- Once evacuation is complete, orient the person to the location and ask if any further assistance is needed.
- If the person has a service animal, don't pet it unless you have permission.
- Service animals must be evacuated with the person.

Mobility Impairment

- Always ask the person how you can help before attempting any assistance.
 - Recognize that every person and every disability is unique.

- Respect the person's independence to the extent possible.
- Identify limitations or problems that may affect their safety.
- Evacuation of persons using crutches, canes, and other mobility device
 - A person using such a device may use one hand to grasp the handrail and the other to use the crutch or cane.
 - Do not interfere with the person's movement unless asked to do so, or the nature of the emergency requires. Explain what you will do and why.
 - Ask if you can help by carrying the extra crutch while the person negotiates the stairs.
 - On crowded stairs, use your own body as a buffer.
- Evacuation of wheelchair users
 - If possible, speak to the person at eye level.
 - Ask before you assume they need help.
 - One-person assist carrying technique
 - Grasp pushing grips.
 - Stand one step above and behind the wheelchair.
 - Tilt wheelchair back until balance is achieved.
 - Keep center of gravity low.
 - Descend frontward.
 - Let the back wheels gradually lower to the next step.
 - Two-person assist carrying technique
 - First person position themselves behind chair, as in the one-person assist.
 - Second person position themselves in front of wheelchair, facing wheelchair.
 - Stand one, two, or three steps down.
 - Grasp frame of wheelchair and push into the wheelchair.
 - Descend the stairs.
 - Motorized wheelchairs
 - Unoccupied, these wheelchairs can weigh up to 100 pounds unoccupied, and may be larger than manual chairs. Lifting a motorized chair and user up or down stairs may require up to four people.
 - The user of the motorized wheelchair probably knows their equipment better than anyone. Always ask about heavy chair parts that can be detached, how you should position yourselves, where you should grab hold, and what, if any, angle to tip the chair backward.
 - Turn the wheelchair's power off before attempting to lift it.
 - Many people who use motorized wheelchairs have limited arm and hand motion. Ask if they have any special requirements for being transported down the stairs.

Cognitive impairments

- Introduce yourself and explain the situation to the person as calmly and confidently as possible.

- Allow extra time for the person to process what you are saying and respond.
- If possible, do not rush and allow the person time to rest to reduce stress and fatigue.
- It may be necessary to use pictures or objects to illustrate your words.
- Encourage the person and give them frequent updates on what is happening.
- Reassure the person that they will soon be safe.
- Reduce distractions if at all possible.

Autism Spectrum Disorders (ASD)

- Communication
 - Speak calmly using direct, concrete phrases with simple steps. Write brief instructions if necessary.
 - Allow extra time for the person to respond.
 - Avoid using phrases that have more than one meaning.
 - The person may repeat what you have said, repeat a phrase, or begin talking about topics unrelated to the situation. Be patient, this is an attempt to communicate.
 - Some people with ASD do not show signs of pain. Check for injuries.
- Social
 - Approach the person in a calm, nonthreatening manner.
 - Because they lack social understanding, persons with ASD may avoid eye contact or look at you from an odd angle, laugh or giggle inappropriately, or not seem to take the situation seriously. Don't assume the person is being disrespectful.
- Sensory and behavior
 - If possible, remove the person to a quieter location to talk with them.
 - Avoid touching the person. Gestures and gentle guidance are okay.
 - If the person is showing obsessive or repetitive behaviors, try stopping these behaviors or taking the object away from them unless there is risk of injury to self or others.
 - Make sure the person is away from potential hazards since they may not have a fear of danger.
 - Remain alert to the possibility of outburst or impulsive, unexplained behavior. If the person is not harming themselves or others, wait until these behaviors subside.

Medication concerns

- If possible, make sure students have all medications they may need before evacuating.

Appendix xxx
Emergency Action Plan

Accessibility Resource Center Emergency Action Plan

Revised October 6, 2015

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Emergency Contacts

Dialing Instructions:

When using a campus phone to make an on-campus phone call, dial the last five digits of the telephone number. For example, to call 277-3506 from a campus phone, dial 7-3506. When using a campus phone to make local calls off-campus, dial 9 plus the telephone number.

Quick View Emergency Contact Info

If you dial 911 from any UNM Phone it will connect you with UNMPD

Emergency	911
Fire	911
Bomb Threat	911
Medical Emergency	911
Violence	911
Shooter	911
Water Leak	7.1600
Power Failure	7.1600
Chemical Spill	911 or 7.2753
Weather Info	7.SNOW
Safety Coordinator - Bob Christner	7-7787
UNMPD Dispatch	7.2241
UNMPD Non-Emergency	7.6059
HSC Security	2.2160
UNMPD Chief	7.1933

Additional Emergency Telephone Numbers:

Student Health Center (UNM)	7-3136
Agora Crisis Center (UNM)	7-3013
Poison Control (UNM)	7-2222
Occupational Health (UNM)	7-8043
Rape Crisis Center	266-7711
Suicide Crisis Center	265-7557

Accessibility Resource Center:

Title	Name	Telephone	Cell Phone
Director	Joan Green	277-7787	917-6833
Associate Director	Amanda Butrum	277-2698	366-8008
Senior Program Manager	Christina Chavez	277-7788	249-2269
Computing Services Manager	Robert Christner	277-2553	463-0990
Program Specialist	Karla Paul	277-3326	681-3289
Program Specialist	Carol Bartlett	277-7573	870-9310
Program Specialist	Tonia Trapp	277-0493	980-3189
Staff Interpreter	Helen Arenholz	277-6605	259-7221
Staff Interpreter	Tommi Tejada	277-6605	350-5470
Student Services Coordinator	Rhiannon Doyle	277-1510	463-7749
Administrative Assistant III	Becky Walker	277-0383	400-5759
Technical Support Analyst 1	Alex Andrews	277-2574	377-4513

Means of Communication

It is the responsibility of each employee to maintain updated contact information for employees within the Provost's Office.

Code word for office emergencies:

Bring the red folder

- If you hear an employee call for the **red folder**, immediately dial 911.
 - Assess the situation
 - Decide if there is need to evacuate or shelter in place
 - Notify Safety Coordinator

Text Location

- Safety Coordinator, Director or proxy will send a text with the code word
 - Respond as soon as possible with your location

Phone Tree

- Immediately after an incident Safety Coordinator will begin phone tree (appendix E)

Power Loss, Computer Loss & Interruption of Communications

Power Failure:

- In the event of a Power Failure or other problems with the electricity, all exterior doors to the facility will become insecure.
- Notify Campus Police at 277-2241 and make them aware that the security system in Mesa Vista Hall is not functional.

Building Supervisor Responsibilities

- Ensure that the facility is safe.
- Students should be informed of interruption and assisted to common area if needed.

Fire Response

Remember A-C-E:

- **Alert**
 - Notify all employees and students of the situation
 - Activate a pull station (see Department Map for nearest location)
 - Notify Campus Police. Dial 911 from a campus phone or dial 277-2241 from a cell phone or off campus phone.
 - all people in the immediate area, pull the fire alarm, and **call 911.**
 - (Locations of fire alarms noted in Appendix A)
 - Evacuate the entire facility in a calm and orderly manner. See Facility Evacuation Plan and accompanying floor plan for specific routes.

- **Contain** – Close all doors to help contain the fire and smoke

- **Extinguish or Evacuate**

- **Never attempt to extinguish a large fire!**

- Attempt to fight a fire **ONLY** under the following conditions:
 - You have been trained on how to use a fire extinguisher:
 - Pull the pin
 - Aim at the base of the fire
 - Squeeze the handle
 - Sweep side to side
 - The fire is small and contained
 - You can do so without endangering your own safety.
 - The Fire Department (911) has been called.

- Direct guests and co-workers toward the nearest or safest exit. (See Appendix A)

The Safety Coordinator (description in Appendix C) will be responsible for ensuring that all personnel, visitors, and student employees in Scholes Hall Rooms 141 and 144 are notified to evacuate, if warranted. *If individuals refuse to leave, it is not the responsibility of the Safety Coordinator to force them to leave and no attempt will be made to do so.*

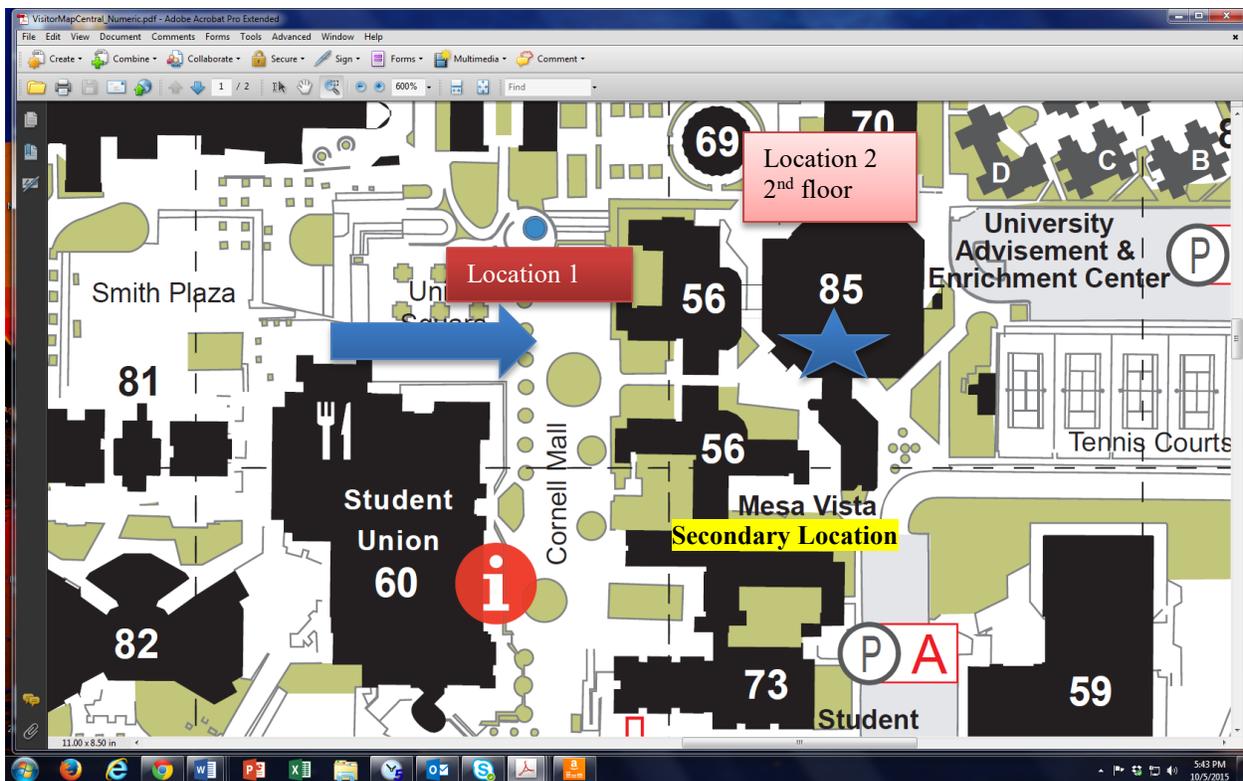
After evacuating the building, proceed to the designated evacuation rendezvous location immediately.

- **Close doors behind you as you leave.** If there is a fire or chemical release, this

will help contain it to the enclosed area.

- Provide assistance to students or others who may need it.
- Proceed as quickly as possible to the designated evacuation rendezvous location for your building. For ARC, we will meet at the (1) outside on Cornell Mall, east of SUB and west of Mesa Vista Hall; or (2) second floor of University Advisement and Enrichment Center.

Do not return to or re-enter the building until you are given official authorization to do so.



Bomb Threat, Disturbance, Demonstration & Criminal Behavior

Bomb Threat

By phone:

- Note the time and check the caller ID for information
- Write down the number the call is coming from
- As soon as possible, let others nearby know what is going on.
- Have someone else call 911 from a campus phone from a cell phone or off-campus line.
 - follow instructions provided by emergency operator.
 - Report anything unusual to responding personnel.
 - Use the Bomb Threat Checklist in Appendix B to make notes.
- Note the caller's identity
 - Gender
 - Approximate Age
 - Accent, if any
 - Recognizable voice?
- Immediately notify Department Director
- Stay Calm! Ask the caller the following questions:
 - When is the bomb going to explode?
 - Where is the bomb located right now?
 - Did you place the bomb?
 - If you did place the bomb, why?
 - What kind of bomb is it?
 - What will cause it to explode?
 - What is your name?
 - Where are you calling from?
- Listen for:
 - Exact wording of threat.
 - Caller's voice.
 - Background sounds such as traffic, machines, etc.
 - Threatening language that is foul, incoherent, etc.
 - Note the time and check the caller ID for information
 - Write down the number the call is coming from

- Write down demands or comments.
 - Note the exact words of the caller. Listen for any voice clues such as male or female, any noticeable accent, or recognizable voice.
- Written or typed threat:
- Do not touch or handle a note more than absolutely necessary
 - If you are evacuated, protect the note inside a book or between other sheets of paper, take it with you, and turn it over to police.
- If necessary, evacuate the building in a calm and orderly manner.

Disturbance

- Stay Calm! Do not overreact.
- Notify supervisor of the situation.
- Ensure the safety of all students and staff members in the facility.
- Carry on normal activities if possible.
- Evacuate the facility if disturbance begins to threaten the safety of any students or staff members.

Demonstration

- Stay Calm! Do not overreact.
- Notify the director of the situation.
- Notify Campus Police. Dial 911 from a campus phone or dial 277-2241 from a cell phone or off campus phone.
- Secure all important equipment and information to prevent damage or loss.
- Carry on normal activities if possible.
- If demonstration begins to threaten the safety of any students or staff members, evacuation of facility may be necessary.

Active Shooter or Other Hostile Situations

If there is any hostile situation in Mesa Vista Hall or its vicinity:

- **Escape, if it is safe to do so**
- If it is not safe to escape:
 - Turn out the lights
 - Close and Lock all doors that lead to exit
 - Move heavy furniture and equipment in front of exits
 - Take shelter away from windows and doors
 - Shelter in place

Safe Areas

- **Main office, room 2021**
- **Spirit room, room 2012**
- **Director's office, room 2034**
- Conditions are such that we remain in the building and secure our areas.
- The goal is to place all staff and students behind locked doors in the three hallways (testing hallway, main office hallway, and scanning hallway).
 - **Alex** will move all people from the scanning area to reception area. Once clear, lock and secure the scanning room.
 - **Bob** will lock and secure his office and then go to the testing hallway to assist. The testing hallway door locks from both sides.
 - **Rhiannon** will clear the testing rooms, close the window, secure and lock the door. She will then proceed to the Spirit room area.
 - **All students and staff** should be out of the hallway and secure in Spirit room or testing rooms.
 - **Receptionist** will close reception window and door once all people are moved in from the scanning room.
 - **Joan** will secure her hallway door once the scanning room is empty and assist with the hallway of greatest need (i.e. dependent upon number and type of students testing or staff absent from their offices).
 - **All other staff** will move to main office or close and lock their doors remaining out of the hallway.
- Once you are in a sheltered location:
 - Silence your cellphones
 - Stay quiet, low to the floor, away from doors and, if possible, under a desk or table.
 - **Call 911 AFTER** you are safe.
- **Prepare to fight the threat, if necessary**
 - Discuss plan of attack quietly among yourselves
 - Be prepared to execute that plan

Medical Emergency

If you see an individual having a medical emergency:

- Ensure your own safety first – you can't help anyone if you become part of the problem.
- **Call 911**
- Provide medical personnel with as much information as possible.
- Try to keep the person still and protect them from curious onlookers.
- If you can safely provide assistance, follow instructions given by the Emergency Operator.
- If you have been trained in CPR and the situation warrants it, use it!

Suspicious Material (Letters, Packages, etc.)

Suspicious Material *How to respond to suspicious mail and threat letters or packages potentially contaminated with biological material. From UNM Safety, Health and Environmental Affairs.*

- Maintain an enhanced awareness of receipt of suspicious letters or packages. Some common things to look for include:
 - Packages with no return address or excessive postage.
 - Misspellings of common words.
 - Restrictive markings such as “personal” or “confidential.”
 - Items protruding from the envelope.
 - Wet areas, openings, or strange odors.
 - Unusually heavy envelope and/or the presence of small bulges or granules.
 - If you are concerned about a particular envelope or package – DO NOT OPEN IT.
 - Notify Campus Police. Dial 911 from a campus phone. Dial 277-2753 from a cell phone or off-campus phone.
 - Inform the emergency dispatcher you have a suspicious envelope or package.
- If you open an envelope or package and you find a letter that contains a threatening message or states that you have been contaminated with a biological substance AND no substance is found:
 - Replace the letter in its envelope and place the envelope in a plastic bag.
 - Wash your hands with soap and water.
 - Notify Campus Police. Dial 911 from a campus phone. Dial 277-2753 from a cell phone or off-campus phone.
 - Remain at your work location and wait for emergency responders to arrive.
- If you open an envelope or package and you observe some type of powder:
 - Remain calm.
 - Slowly and carefully place the letter back into its envelope and put the envelope in a plastic bag. Seal the plastic bag.

- If no plastic bag is available, place the envelope on a counter or floor and slowly cover the envelope with an empty garbage can or recycling container.
- Do not walk around the office to show other people, or invite coworkers to come in and take a look.
- Immediately wash your hands with soap and water.
- Notify Campus Police. Dial 911 from a campus phone. Dial 277-2753 from a cell phone or off-campus phone.
- Remain in place to assist emergency responders.
- If any powder spills out of the envelope or package:
 - Do not clean up the powder yourself. Prevent others from coming into contact with the powder.
 - Do not brush off your clothes as it may disperse the powder into the air.
 - Wash your hands with soap and water.
 - Notify Campus Police. Dial 911 from a campus phone. Dial 277-2753 from a cell phone or off-campus phone. Inform the emergency dispatcher what steps you have taken.
 - Stay in place and remove your clothing and place in a plastic bag.
 - If possible, shower with soap and water and put on fresh clothing.
- If there is a small explosion or release of an aerosol spray from a package:
 - Vacate the space immediately.
 - Prevent others from entering the vacated space.
 - Notify Campus Police. Dial 911 from a campus phone. Dial 277-2753 from a cell phone or off-campus phone. Inform the emergency dispatcher what steps you have taken.
 - Treat yourself and clothing as indicated in the previous scenario.

Natural Disasters

Lightning

- Seek refuge inside.
- Move away from trees and utility poles.
- Do not hold on to metal items.

Earthquake

- If you are inside:
 - Seek refuge in a doorway or under a desk or table.
 - When tremors cease: evacuate the building. Do not reenter because of the possibility of aftershocks.
- If you are outside:
 - Move away from buildings and utility poles.
 - Avoid downed power lines.

Tornado

- Warning designations
 - Tornado Watch: tornado is possible.
 - Tornado Warning: tornado has been sighted.
 - Sirens: sounded by local authority and indicate a tornado warning. Take shelter.

Water Leak

- Do not attempt to enter the room. Water could have entered the electrical systems creating a potential shock hazard.
- Do not come in contact with the water.
 - If you find a ruptured pipe, close doors to secure the area (if safe).
 - Contact Physical Plant at 277-1600.

Power Failure

- Do not attempt to continue working as normal.
 - Open external doors to provide natural light to prevent exposure to tripping hazards.
 - Contact Physical Plant to report the outage at 277-1600.

Inclement Weather

- Call 277-SNOW to learn of campus delays or closures.
- In the unlikely case of a tornado, take shelter in any windowless interior room. (See "Shelter in Place", page 10)
- In the unlikely case of flooding, remain on second floor

Shelter in Place

If the “Shelter in Place” order is given and/or the campus warning siren sounds:

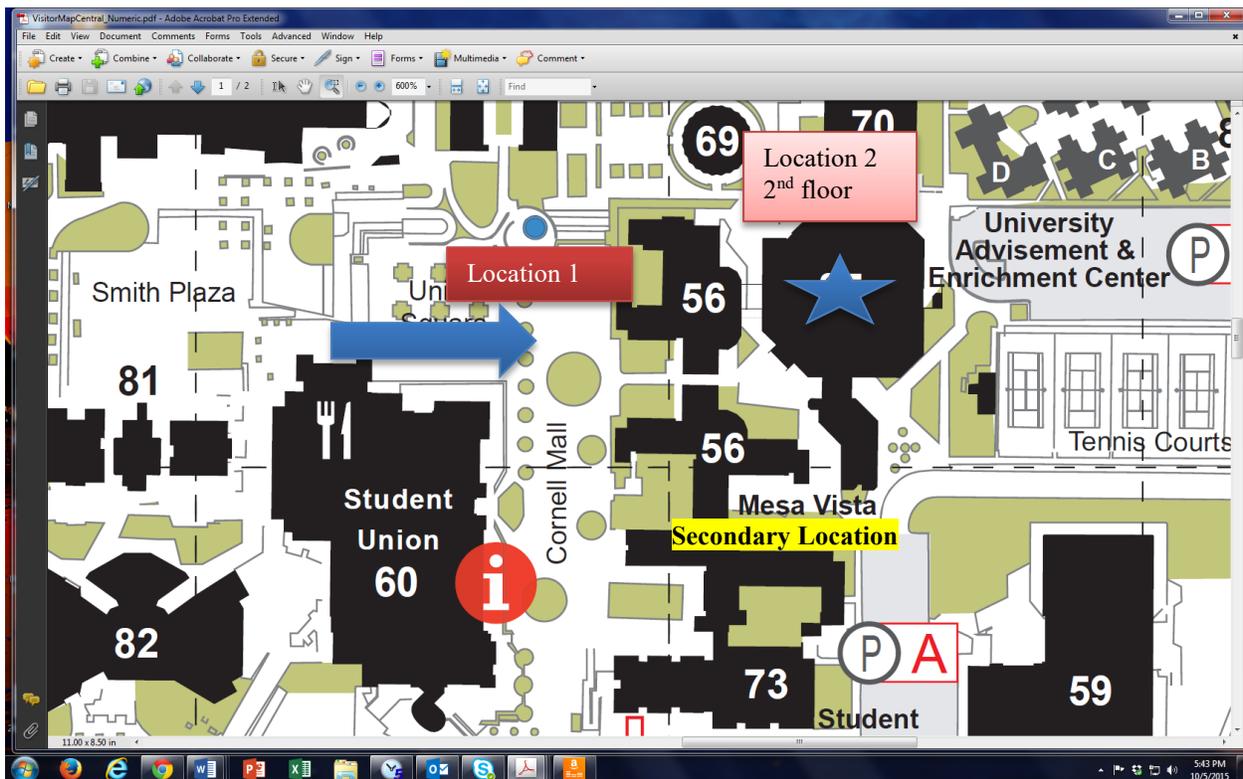
- Immediately get inside the nearest building and proceed to an interior room or hallway.
- Stay away from glass doors and windows.
- Monitor text message alerts, campus email or the UNM webpage for further information and updates.
- Stay calm and stay put, unless there is an immediate need to leave (visible fire or life-threatening situation).
- Precisely follow all instructions from Law Enforcement or Emergency Personnel.

Evacuation *(see Adaptive Evacuation Procedures for Individuals with Disabilities)*

- Conditions are such that all individuals must be removed from the building.
- The goal is to assist all students in evacuating quickly and safely.
- If possible, take cell phones, ID's, and personal belongings.
 - **Alex** will move all people from the scanning area and verify they empty the building using the nearest exit. Once clear, lock and secure the room.
 - **Bob** will lock and secure his office and then go to the testing hallway to assist. The testing hall door locks from both ends.
 - **Rhiannon** will clear testing rooms, close the window, lock and secure the door. She will then proceed with the testing schedule, listing students that may be in the building and their location.
 - **All students and staff** will evacuate using the nearest exit (refer to Department Map).
 - In the event of a fire in Mesa Vista Hall (MVH), students **with mobility impairments** will have to exit through University Advisement and Enrichment Center elevator. Evacuation due to a fire in University Advisement and Enrichment Center allows for use of the MVH elevator. In cases where a student cannot get to an elevator, move him/her to stairwell. One staff member will go to notify emergency personnel, and one staff will remain with the student.
 - **Receptionist** will close reception window and door then exit.
 - **Joan** will secure her hallway door once room is empty and assist with the hallway of greatest need (i.e. dependent upon number and type of students testing or staff absent from their offices).
 - **All other staff** will evacuate through the nearest exit (refer to Department Map).
- **Close doors behind you as you leave.** If there is a fire or chemical release, this will help contain it to the enclosed area.
- Provide assistance to students or others who may need it.

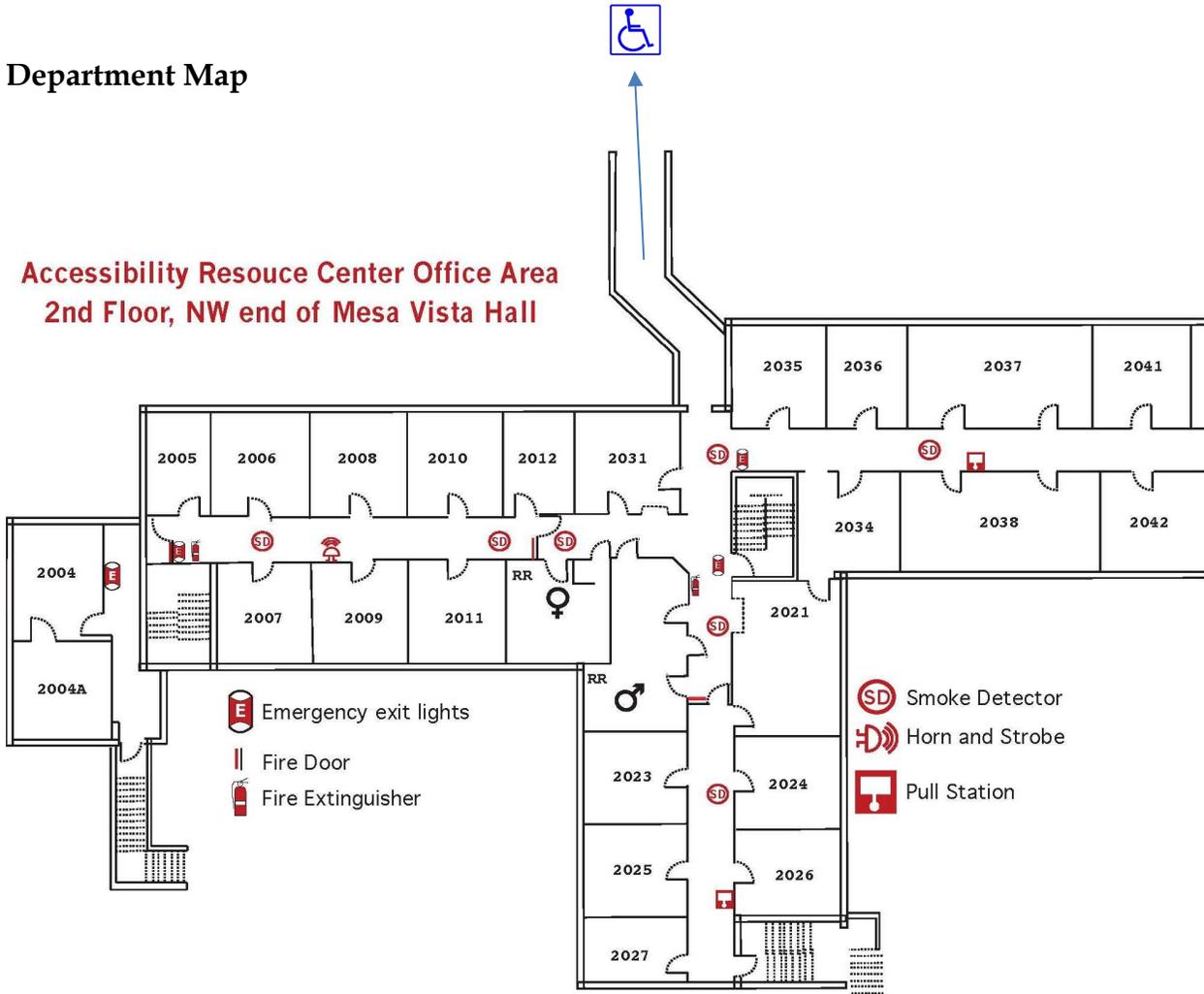
- Proceed as quickly as possible to the designated evacuation rendezvous location for your building. For ARC, we will meet at the (1) outside on Cornell Mall, east of SUB and west of Mesa Vista Hall; or (2) second floor of University Advisement and Enrichment Center.

Do not return to or re-enter the building until you are given official authorization to do so.



Department Map

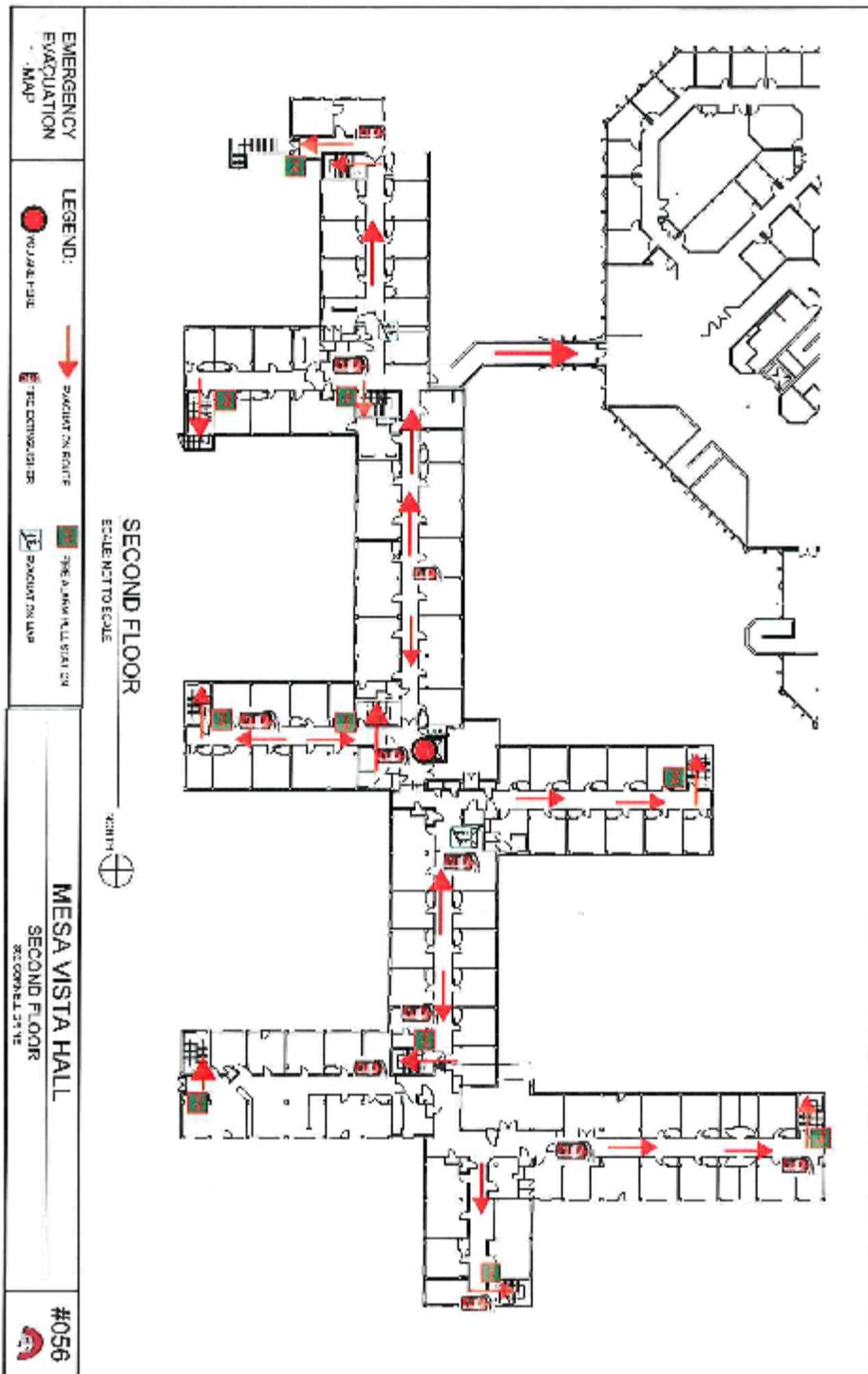
Accessibility Resource Center Office Area 2nd Floor, NW end of Mesa Vista Hall



Appendix A

Evacuation Routes

For Accessibility Resource Center
2nd Floor Mesa Vista Hall



Appendix B

Bomb Threat Checklist

Bomb Threat Call Check List

DATE OF CALL _____ TIME CALL RECEIVED _____ TIME CALL ENDED _____ LINE USED _____ CALLER ID _____

EXACT WORDS OF CALLER: _____

GATHER AS MUCH INFORMATION AS POSSIBLE: Where is the bomb located? _____
 What does the bomb look like? _____
 What is the bomb made of? _____
 Is the bomb set to explode at a certain time? _____

Circle or all that apply

Voice	Speech	Sex / Age	Manner	Background Noise	Familiarity with Facility	Accent	Language
Loud	Fast	Male	Calm	Music	Much	Local	Well Spoken
High Pitched	Slow	Adult	Rational	Factory	Some	Foreign	Irrational
Raspy	Stutter	Juvenile	Deliberate	Office machines	None	Region	Foul
Intoxicated	Slurred	Approximate Age _____	Angry	Street Traffic		Race	Taped
Soft	Nasal		Irrational	Trains/Airplanes			Message Read
Deep	Disguised	Female	Emotional	Animals			Other:
Hoarse	Other:	Adult	Laughing	Quiet			
Other:		Juvenile	Incoherent	Other:			
		Approximate Age _____					

Reported By: _____ Name: _____ Telephone Number: _____ Position: _____
 Date Report Completed: _____

BOMB THREAT / Procedures and Checklist

Appendix C

Safety Coordinator

ARC Safety Coordinator

The Safety Coordinator, Bob Christner is responsible for:

- Providing a copy of the Accessibility Resource Center (ARC) Emergency Plan to all ARC employees with offices in Mesa Vista Hall, 2021.
- Updating the Emergency Plan and distributing updates to all ARC staff.
- Ensuring the notice to evacuate is communicated to all staff, students, administrators and visitors present within Mesa Vista Hall, 2021 when evacuation is necessary for any reason.
 - Note: If individuals refuse to leave, it is not the responsibility of the Safety Coordinator to force them to leave and no attempt will be made to do so.
- Establishing a point of rendezvous for ARC employees to be used in case of evacuation, and ensuring those employees know its location.
 - Primary Location – Tree area west of Mesa Vista Hall
 - Secondary Location – Open area in University Advisement and Enrichment Center
- Knowledge of CPR.
- Ensuring a phone tree is established and maintained with current information.
- Ensuring evacuation drills, shelter in place drills, and use of phone tree are rehearsed.
- Planning and executing annual safety/emergency preparedness meetings for ARC employees.

Appendix D

Go Kit Supplies

Go Kit

In a pack readily accessible to the Safety Coordinator, keep:

- Flashlight
- Emergency Plan
- Emergency Phone Tree

Safety Coordinator is responsible for:

- Maintaining the contents of the Go Kit
- Bringing this pack to the rendezvous location whenever an evacuation order is given, or to the area where most personnel are located during a shelter in place order.

Appendix E

Phone Tree

Phone Tree

Director calls: Associate Director, Manager Information Services, Senior Program Manager and Program Specialist with seniority

Program Specialist with seniority calls: two program specialists

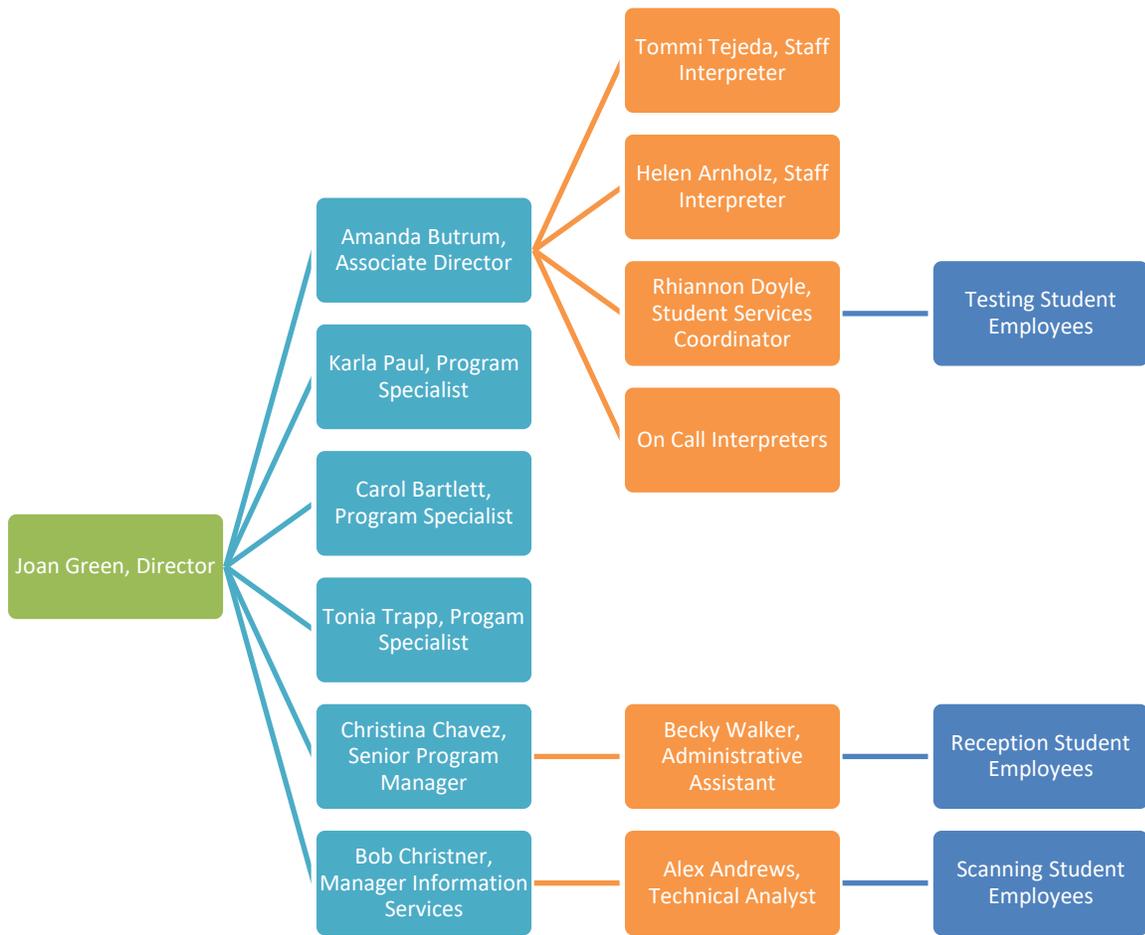
Associate Director calls: staff interpreters, Student Services Coordinator, and On Call interpreters (as needed)

Student Services Coordinator calls: Testing student employees (as needed)

Manager Information Services calls: Technical Analyst and Scanning student employees (as needed)

Senior Program Manager calls: Administrative Assistant and Reception student employees (as needed)

#1 calls 2-3, 6, & 7; 2 calls 8-10; 3 calls 4 & 5; 6 calls 11; 7 calls 12



Adaptive Evacuation Procedures for Individuals with Disabilities

Appendix F

Adaptive Evacuation Procedures for Individuals with Disabilities

Hearing Impairment

- If possible, flicker the lights when entering an area/ room to get the person's attention.
- Establish eye contact with the individual, not the interpreter, if one is present.
- Use facial expressions and hand gestures as visual cues.
- Check to see if you have been understood and repeat if necessary.
- Offer pen and paper
 - Write slowly and let the individual read as you write.
 - It is important for you to understand them as well; therefore written communication may be especially important.
 - Keep instructions simple, and use basic vocabulary in the present tense.
- Avoid interruptions while trying to communicate.
- Be patient!
- Provide the person with a flashlight to signal their location in the event they are separated from the evacuation group.

Visual Impairment

- Announce your presence and identify yourself, but do not shout unless background noise warrants it.
- State the nature of the emergency and then offer your arm
 - As you walk advise them of any obstacles.
 - Be sure to mention stairs, doorways, narrow passages, ramps, etc.
 - They may choose to walk slightly behind you to gauge your body's reaction to obstacles.
 - If leading several individuals with visual impairments, ask them to guide the person behind them.
- Do not grab or attempt to guide them without first asking them.
- Offer assistance but let the person explain what help is needed.
- Any written information will need to be communicated orally.
- Once evacuation is complete, orient the person to the location and ask if any further assistance is needed.
- If the person has a service animal, don't pet it unless you have permission.
- Service animals must be evacuated with the person.

Mobility Impairment

- Always ask the person how you can help before attempting any assistance.

- Recognize that every person and every disability is unique.
- Respect the person's independence to the extent possible.
- Identify limitations or problems that may affect their safety.
- Evacuation of persons using crutches, canes, and other mobility device
 - A person using such a device may use one hand to grasp the handrail and the other to use the crutch or cane.
 - Do not interfere with the person's movement unless asked to do so, or the nature of the emergency requires. Explain what you will do and why.
 - Ask if you can help by carrying the extra crutch while the person negotiates the stairs.
 - On crowded stairs, use your own body as a buffer.
- Evacuation of wheelchair users
 - If possible, speak to the person at eye level.
 - Ask before you assume they need help.
 - One-person assist carrying technique
 - Grasp pushing grips.
 - Stand one step above and behind the wheelchair.
 - Tilt wheelchair back until balance is achieved.
 - Keep center of gravity low.
 - Descend forward.
 - Let the back wheels gradually lower to the next step.
 - Two-person assist carrying technique
 - First person position themselves behind chair, as in the one-person assist.
 - Second person position themselves in front of wheelchair, facing wheelchair.
 - Stand one, two, or three steps down.
 - Grasp frame of wheelchair and push into the wheelchair.
 - Descend the stairs.
 - Motorized wheelchairs
 - Unoccupied, these wheelchairs can weigh up to 100 pounds unoccupied, and may be larger than manual chairs. Lifting a motorized chair and user up or down stairs may require up to four people.
 - Motorized wheelchairs (cont.)

- The user of the motorized wheelchair probably knows their equipment better than anyone. Always ask about heavy chair parts that can be detached, how you should position yourselves, where you should grab hold, and what, if any, angle to tip the chair backward.
- Turn the wheelchair's power off before attempting to lift it.
- Many people who use motorized wheelchairs have limited arm and hand motion. Ask if they have any special requirements for being transported down the stairs.

Cognitive impairments

- Introduce yourself and explain the situation to the person as calmly and confidently as possible.
- Allow extra time for the person to process what you are saying and respond.
- If possible, do not rush and allow the person time to rest to reduce stress and fatigue.
- It may be necessary to use pictures or objects to illustrate your words.
- Encourage the person and give them frequent updates on what is happening.
- Reassure the person that they will soon be safe.
- Reduce distractions if at all possible.

Seniors

- Some elderly persons may respond more slowly to an emergency and/or may not fully understand the extent of the crisis.
- Be patient!
- Repeat questions and answers if necessary.
- Before moving an elderly person, evaluate their ability to see and hear, as well as any mobility impairments.
- Evacuation techniques may need to be adapted for sensory or mobility impairments.

Autism Spectrum Disorders (ASD)

- Communication
 - Speak calmly using direct, concrete phrases with simple steps. Write brief instructions if necessary.
 - Allow extra time for the person to respond.
 - Avoid using phrases that have more than one meaning.

- The person may repeat what you have said, repeat a phrase, or begin talking about topics unrelated to the situation. Be patient, this is an attempt to communicate.
- Some people with ASD do not show signs of pain. Check for injuries.
- Social
 - Approach the person in a calm, nonthreatening manner.
 - Because they lack social understanding, persons with ASD may avoid eye contact or look at you from an odd angle, laugh or giggle inappropriately, or not seem to take the situation seriously. Don't assume the person is being disrespectful.
- Sensory and behavior
 - If possible, remove the person to a quieter location to talk with them.
 - Avoid touching the person. Gestures and gentle guidance are okay.
 - If the person is showing obsessive or repetitive behaviors, try stopping these behaviors or taking the object away from them unless there is risk of injury to self or others.
 - Make sure the person is away from potential hazards since they may not have a fear of danger.
 - Remain alert to the possibility of outburst or impulsive, unexplained behavior. If the person is not harming themselves or others, wait until these behaviors subside.

Medication concerns

- If possible, make sure students have all medications they may need before evacuating.