COMPLIANCE IN THE CLASSROOM
DISCLAIMER

Please keep in mind that the information presented here is only general information. True legal advise must be provided in the course of an attorney-client relationship.

Justin and Pamela ARE NOT attorneys!
OUTLINE for TODAY

1. AMERICAN DISABILITIES ACT
2. COPYRIGHT
3. ACCREDITATION
4. GROUP ACTIVITY
What instructors need to know about the American Disability Act
...of 1990 was created to prevent discrimination against individuals with disabilities. This act was modeled after Section 504 of the 1973 Rehabilitation Act, which is designed to allow equal access and treatment to all individuals suffering from a disability.
Types of Disabilities

- Blind or Low Vision
- Deaf or Hard of Hearing
- Developmental
- Health Conditions
- Intellectual
- Learning
- Mental Illness
- Physical or Mobility
- Speech or Language
GENERAL SUGGESTIONS

- Get more disability Information
- Ask the student how they learn best
- Make your course “disability-friendly”
Disability-Friendly Suggestions

- Announce at the beginning of the session – Please see me during office hours for students with who need special accommodations.

- Add a few paragraphs into your course syllabus welcoming students with disabilities and inviting them to visit with you about their related academic needs.
Non-Apparent Medical Conditions

Chronic illnesses such as . . . .
Asthma; Arthritis; Diabetes;
Heart Disease;
Cancer; Chronic Fatigue
Immune Deficiency Syndrome;
Seizure Disorders; Repetitive
Stress Injury Post-Surgery; and
Back Problems
SYMPTOMS of THESE CONDITIONS

UNPREDICTABLE and FLUCTUATING...

✓ limited energy;
✓ difficulty walking, standing or sitting; and/or
✓ dizzy or confused from pain or medications
Students with Disabling Medical Conditions

- May need extended time on exams
- May be late getting to class
- May need to stand (podiums to rest books and write)
- May need frequent rest-breaks
- May need extra time to submit assignments
Students Who Are Deaf or Hard of Hearing

- Generally need extended time for examinations
- May need frequent rest breaks during exams
- During lab sessions: may need an assistant to manipulate equipment, make notes, and complete lab reports
Students Who Are Deaf or Hard of Hearing (Cont.)

- Use captioned videos when possible
- Provide an advance copy if reading from a book
- Pause briefly so that the student may look at the board/screen.
Students With Learning Disabilities

Normal than better intelligence but have…..

sever “information –processing deficits”:
Common Problems

- Slow and inefficient reading
- Slow essay writing
- Problems in organization and the mechanics of writing
- Frequent errors in math calculation
Suggestions

• May need extended time to complete exams
• Provide a detailed syllabus and list all assignments and due dates
• Provide frequent opportunities for feedback
Suggestions Continued

- Meet one on one to discuss exam questions or assignments
- Provide early review of essay drafts
- Encourage students to contact you in order to clarify assignments
Suggestions Continued

- Leave a list of required texts BEFORE class begins
- Be sensitive to students who may be unable to read aloud or answer questions when called on
- Make sure exams are clearly typed in large black letters
Suggestions Continued

• Permit students to circle answers
• Allow students to use extra paper in preparing essay responses
• Suggest that math students use graph paper (or lined turned sideways) to avoid confusion when performing calculations
Attention-Deficit/Hyperactivity

- Persistent pattern of frequent and severe inattention, hyperactivity, and/or impulsiveness
Common Problems

• Slow and ineffective reading
• Slow essay-writing
• Frequent errors in match calculation
• Time management
• Task completion
• Organization
• Memory
Suggestions

- Syllabus with clear explanations of tasks and specific due dates
- Reminders during the session of due dates
- Start each lecture with a summary of material to be covered or provide a written outline
Suggestions Continued

- Provide stimulating and format varied lectures
- Provide breaks if long lecture
- Avoid oral assignments
- Provide distraction-free test site
- May need extended test-time
- Break down the task into its component parts (projects/papers)
Limited Manual Dexterity

- May have limited manual dexterity as a result of illness or injury
- Example: Carpal Tunnel Syndrome
Suggestions

• May have limited manual dexterity as a result of illness or injury

• Example: Carpal Tunnel Syndrome
Mobility Impairments

- Cerebral Palsy
- Multiple Sclerosis
- Muscular Dystrophy
- Spinal Cord Injury
- Varying physical limitations and deal with their limitations in different ways (crutches, braces, wheelchair)
Suggestions

• Upper Body Limitations
• May need
  • Note takers
  • Extended Exam Time
  • Audio Tape Recorders
  • Room where a student can dictate into audio tape recorder or confer with aid
Suggestions Continued

• Upper Body Weakness
• May not be able to raise their hands to participate.
• Establish eye contact and call on them when they indicate they wish to contribute.
Suggestions Continued

• Wheelchair is part of a student’s “personal space”
• Do not allow leaning on the chair, touching it or pushing it unless asked.
• When talking to the student, you should be seated
Suggestions Continued

• Allow student to be late due to mobility outside their control
• Special seating arrangements may be necessary
• Lowered tables to write or lowered lab tables for using tools or other equipment.
Psychological Disabilities

- Examples include
  - Depressions
  - Bipolar Disorder
  - Severe Anxiety

May complicate many areas of life, including education
Common Problems

- Difficulties with focusing, concentrating, and completing work in a timely fashion
- Reading, writing and math may require extra effort and more time
- Ability to function effectively may vary from day to day
Suggestions

- Don’t press students to explain their disability
- May need to leave the room in the middle of class
- Fill in gaps for missed class
- Make every effort to make students feel comfortable if they disclose their disability
Speech Impairments

• Examples include
  • Stuttering
  • Tourette’s Syndrome
  • Surgical removal of the larynx
  • Traumatic Head Injury
  • Degenerative Illness
Suggestions

- Ask for the student to repeat what they said if you did not understand.
- Ask the student to spell words you can’t decipher.
- Meet with the student early to discuss their communication styles.
- Always address questions to the student NOT the assistant.
VISUAL DISABILITIES

• Examples
  • No Vision
  • Able to see large shapes
  • Read standard print if magnified

May convert print to Braille, read text on a computer screen aloud or utilize audiotape recorders, portable note-taking devices or talking calculators.
Common Technology Use

May convert print to Braille, read text on a computer screen aloud or utilize audiotape recorders, portable note-taking devices or talking calculators.
SUGGESTIONS

• Preferential Seating (near front of the class)
• Leave a list of required texts before class starts so special books/tapes can be ordered
• Use large print size when using Power Point or Overhead Projector
SUGGESTION Continued

• Allow student to audiotape lectures or use a note taker
• Avoid making statements that cannot be understood by people without sight ("This diagram sums up what we have been talking about")
SUGGESTION Continued

- Read aloud everything that you write on the white/chalk board
- Verbally describe objects whenever possible
- Use familiar objects when making analogies that do not depend on prior visual knowledge.
SUMMARY

◆ Know and comply with the ADA
◆ Determine what accommodations can be made in your classroom to assist a disabled student
◆ Find additional resources you can utilize in your classroom
◆ Strictly follow policies of your institution
◆ When in doubt….ask
COPYRIGHT
Have you ever....

- Copied a computer program to install on a second or third computer?
- Burned a copy of your favorite CD or DVD to give to a friend?
- Copied pages from a workbook for a student who has not purchased one yet?
- Downloaded your IPOD music library into a friends IPOD?
- Reproduced an instructional test or parts of a curriculum that was developed for a previous employer?
If you answered yes.....

You may have violated the Copyright Law
What is Copyright?

“Copyright is a form of protection by the laws of the US (title 17, US Code) as the authors “original works of authorship,” including literary, musical, artistic, digital, and certain other intellectual works. This protection is available to both published and unpublished works.”

http://www.copyright.gov/circs/circ1.html
COPYRIGHT BASICS

- Copyright protection gives authors exclusive use of their works and protects the integrity of the works.

- The law provides for limited educational uses if your institution is an accredited, NOT FOR PROFIT institution (See Teach Act).
No specific number of words, lines, or notes that may safely be taken without permission.

Acknowledging the source of the material does not substitute for obtaining permission.

The distinction between what is fair use and what is infringement in a particular case will not always be clear or easily defined.
Fair Use

Four factors to be considered in determining whether or not a particular use is fair.....
The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes.
The nature of the copyrighted work.
Fair Use - THREE

The amount and substantiality of the portion used in relation to the copyrighted work as a whole.
The effect of the use upon the potential market for, or value of, the copyrighted work.
Look at market availability

If the amount you want to use go beyond what you need to make your point.
You may not need to worry about copyright at all!

1. Use unprotected works
2. Library – licensed works
3. Creative Commons licensed works
4. Available freely on the open Web
Unprotected Works:

- Works that lack originality
- Logical, comprehensive compilations (like the phone book)
- Unoriginal reprints of public domain works
- Works in the public domain
- US Government works
- Facts
- Ideas, processes, methods, and systems described in copyrighted works
Unprotected Works Continued ....

1. Published on or before 12/31/22

1. Published between 1/1/23 and 12/31/78 are protected for 95 years from date of publication with proper notice

1. After 1978 – Life of the author plus 70 years (published or not)

1. Created before 12/31/78 but never published are protected for the life of the author plus 70 years
Guidelines for Copying

- Copying shall not
  - substitute for the purchase of books, publishers; reprints or periodicals
  - Be directed by higher authority
  - Be repeated with respect to the same item by the same teacher term to term
Guidelines for Copying Continued

- Copying shall not
  - Create or replace or substitute
  - Be from works intended to be consumable (workbooks, exercises, standardized tests and answer sheets and like materials)
What you can do.....

- Use one chart, picture diagram or cartoon per book or periodical. (credit source)
- Use videotapes, DVDs in the classroom that were legitimately acquired
- Use QuickTime movies and Video clips from the Internet legitimately acquired and credit source
What you can do..... Continued

- Use software that was purchased or licensed only
- Use resources from the Web that were legitimately acquired by the Web site.
The Instructor Should…

- Understand the law and your responsibilities
- Follow policies established by your institution
- Communicate the law and policies to your students
- Know the requirements of the TEACH act if your institution qualified
Summary

- Know and comply with the copyright law
- Apply “fair use” appropriately
- Utilize ethical and legal activities and materials in both the traditional classroom and distance education
- Know and comply with the duties of an instructor
- Strictly follow policies of your institution
- When in doubt….ask
Accreditation Compliance

- ACICS, ACCSC, ACCET, ABHE, COE, DETC, NACCAS, TRANCS, SACS

- All standards / Criteria are similar but very specific

- KNOW the requirements for instructors. Do not depend on others, rather, download the information from the agencies website.
References Used in this Presentation


GROUP ACTIVITY

ADA and Copyright
The Campus President has notified you that a visually impaired student will be in your anatomy and physiology class this term. Limited sight. How will you prepare to accommodate this student and what arrangements will you make in your classroom in order for the student to succeed?
A new student has privately told you that she has a severe anxiety disorder that is documented by her doctor.

What behaviors should you prepare for and what reasonable accommodations will you make in your classroom in order for the student to succeed?
Thank you!

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