

[Dr. Jarrow was the featured speaker at the 1996 NACADA National Convention in Washington, DC. Her speech is featured below.]

The Americans with Disabilities Act, Students With Disabilities, and the Role of the Academic Advisor

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The number of students with disabilities accessing higher education has risen dramatically in recent years. Academic advisors are concerned about the role they can or should play in working with students with disabilities. Advice and cautions for the academic advisor working with such students is presented. Included is specific discussion of the dangers of stereotyping people or professions, a reminder to view this population as students—with their disabilities secondary to student status, and a final caution against overprotection and paternalism.

In 1990, Congress passed the Americans with Disabilities Act (ADA). The ADA represents a civil rights statute for persons with disabilities. It promises nondiscrimination on the basis of disability in all opportunities afforded to the general public. For the higher education community, the coming of the ADA was not a new mandate, so much as an affirmation of existing responsibilities. The 1973 Rehabilitation Act, with its accompanying Section 504 regulations, had already mandated equal access to educational programs and opportunities in any federally funded institution. A single student using federal financial aid to attend an institution makes the institution a recipient of federal funds and thus responsible under federal mandates for nondiscrimination.

It is somewhat surprising, therefore, that so many institutions found themselves worried about meeting responsibilities to persons with disabilities under the ADA when they presumably had almost 15 years of experience and commitment under Section 504. The difference between the previous statute and the ADA—and the greatest impact on higher education—came not in the requirements for service and support but in the number of individuals requesting protection under the law. As a result of the national publicity surrounding the passage and implementation of the ADA, the postsecondary community has seen large numbers of individuals come forward, identify themselves as persons with disabilities, and ask for assistance because this new law—the ADA—says they are entitled to protection from discrimination. In fact, they have been entitled to most of the same protection and support for a number of years under Section 504, but if they did not ask for

accommodation or consideration, the institution was not remiss by not providing services. Section 504 and the ADA are the only federal civil rights statutes that provide protection only after an individual identifies himself or herself as a part of the protected class. Now, individuals with disabilities are requesting acknowledgment of their status as people with disabilities and demanding the rights that accompany that status.

Warning—Stereotyping Ahead!

Federal law specifically prohibits the counsel that encourages a more restrictive career path to someone with a disability because of the disability. The danger for academic advisors is heightened by stereotyping of people and careers.

For many years, people with various disabilities were stereotyped as being best suited for certain pursuits. Blind people must have heightened hearing abilities, so they make excellent piano tuners. Deaf people ought to work in noisy environments, because noise will neither distract nor bother them (for many years, most vocational education programs for deaf students were directed toward teaching them to work in print shops). People with physical disabilities should pursue social work or rehabilitation so that they can work with other people with disabilities—they would be much more sensitive to the needs of such individuals after having overcome the same obstacles themselves. Hopefully, advisors have moved beyond such blatant stereotyping in recent years. However, advisors have an all-too-real tendency to encourage a student with a disability similar to that of a previously counseled student to pursue the field in which the previous student was successful.

Stereotyping fields of endeavor may be a more serious obstacle for students with disabilities because it can result in well-meaning people giving very bad advice with the best of intentions. Typically, the problem comes from defining a given field either too broadly or too narrowly. Either the belief is that in order to be an “x” one must be able to do all the duties an “x” might do in any circumstance; or in order to be an “x” one must be able to

do a specific task and anyone unable to complete that task cannot effectively function in “x” career.

My background is in speech/language pathology. While serving on the faculty of a midwestern university, we had a very bright graduate student who had tremendous potential, but who also had a significant auditory processing problem. She had difficulty hearing subtle distinctions between spoken sounds. She could not tell “Thally that on a thtool” from “Sally sat on a stool.” Anyone who knows much about the field of speech pathology will know that articulation therapy with young children primarily involves correcting mispronunciations and that such corrections are considered the easiest form of speech/language correction. Practicing speech therapists call articulation correction “cookbook therapy” because it follows a relatively straightforward and predictable path—as long the therapist can hear the difference between words. This graduate student could not hear the difference. The problem was not lack of effort or attention on her part, but rather due to a learning disability in auditory processing. The faculty members in the department were resigned to counsel her out of the field. After all, if one cannot do articulation therapy, one cannot be a speech/language pathologist, right?

My response to this reaction was to ask the three highest paid speech pathologists in the city (two of whom were being paid more than anyone currently on the faculty) to come to a faculty meeting. When we discussed this student’s situation, I asked one question of each of the three: “When was the last time you worked with a client doing articulation therapy?” Since she worked exclusively with adults, the Director of Speech Pathology services at an acute care hospital in town could not remember when she had seen an articulation client. The second was the Director of Speech Pathology services at a rehabilitation/nursing care facility. She had not seen a client for articulation therapy since she left graduate school. The Director of the local Speech and Hearing Clinic thought she might have seen an articulation client for a short time 2 or 3 years earlier. While advisors and therapists typically think of articulation therapy as a necessary skill that speech pathologists learn first, in fact, many working clinicians never use it in their practices. To turn this student away from an area in which she had interest—and talent—because a portion of the possible range of functions was unavailable due to her disability would have been a marked loss to the profession.

I have a friend who is paraplegic. He has been a wheelchair user since before he decided to major in geology at the graduate level. When he first approached faculty from the geology department at

his institution about pursuing a degree, their response was predictable: “Being a geologist means going out to climb around in caves and rough terrains and environments gathering core samples and evaluating them. You are in a wheelchair so you cannot do that. You cannot be a geologist.” My friend quoted a recent article from one of their own professional journals that indicated that more than 90% of the people hired with advanced degrees in geology sat behind a desk or a microscope analyzing the samples brought in by the people out in the field. His response was, “I can sit behind a desk or a microscope with the best of them—don’t tell me I cannot be a geologist.” He was right and the faculty had the good grace to admit it.

What Should Academic Advisors Do for Students with Disabilities?

Give the same advice, for the same reasons, as to students without disabilities; an endeavor easier to intellectually discuss than to put into practice. When sitting face-to-face with a student who either looks unlike or functions differently than the students typically seen, one might assume that the given advice should also differ. This assumption is what leads to mistakes in advising students with disabilities.

Two rules should be remembered when interacting with students with disabilities: a) advice and recommendations should be based on student interests rather than on limitations, and b) counsel should be given based on evidence and not on supposition. Discussions about career goals and aspirations probably begin with some probing about what the student wants to pursue and why. Advisors want to know about student experiences to determine if the decision to major in “x” is well informed. Advisors also need to know student perceptions of her or his talents.

Anecdotal evidence suggests that many students with disabilities are less mature in their career decision making than their nondisabled peers. I have seen too many students with disabilities decide to major in special education because their primary career role models were the myriad of special education teachers with whom they had worked throughout their schooling.

I had a roommate in college who took some interest inventories and tests to determine a field that might match with her personality. The results indicated she was perfectly suited to be a mortician. She was depressed for a week, but decided to ignore the tests and pursue her dream of being an interior decorator. Today, she is a very good interior decorator, because she based her decisions on her interest and not some formal assessment. Students without

disabilities may use such interest profiles as a starting point in their career exploration and do what my roommate did—ignore the results if they provide poor information. Students with disabilities are much more likely to accept an outside assessment of their abilities and their futures—whether based on a standardized instrument or on the well-meaning input of respected counselors and advisors. The danger is that advisor suggestions may be viewed as edicts. The opportunity to help students with disabilities explore their options is different than helping students whose minds are made up.

The freedom to explore may be unnecessarily limited by the student if interviews and advisement sessions are not skillfully implemented. Students with disabilities often seem to make decisions about career choice based on their disabilities, rather than their abilities. “I can’t do this, I can’t do this, I can’t do this . . . there is nothing about my disability that keeps me from doing that, so that will be my major!” Students without disabilities decide what they want to do with their lives based on their strengths. Students with disabilities are prone to decide based on their limitations.

Make sure advice is based on evidence rather than on assumptions about the student. I have a friend who is of Japanese origin. She still laments the academic advisor who kept pushing her toward elective math courses because Asian students are good at math and she could easily fulfill her requirements. In fact, she is lousy at math and received mediocre grades in all of those courses; but it didn’t stop the advisor from recommending another one the next semester. Do not assume, because the student is deaf, that he or she will want to stay away from areas that require good communication skills. Academy award winning actress Marlee Maitlin has shown that one can break into nontraditional arenas with good skills if the person is persistent. Do not assume that a student in a wheelchair will want to pursue a field that is sedentary. John Hockenberry, the wheelchair-using TV reporter who covered the Gulf War for CNN, would not agree. Do not assume that because a student has a learning disability and great difficulty with written language, the student should, or would want to, gravitate toward areas that allow her or him to talk or work with her or his hands. Agatha Christie was neither a gifted nor a sought-after public speaker, but she was one of the most prolific writers of the 20th century.

Not every deaf student has the potential to be the next Marlee Maitlin, and not every wheelchair-user can succeed as dramatically as John Hockenberry. But not every nondisabled student is destined to become the next Meryl Streep or David Brinkley. Students should be free (and encouraged) to pursue their goals as far as their skills will take them. Too often the prob-

lem is not that they fail, but that they are never given a chance to try. An advisor should think about that the next time he or she considers steering a blind student away from a science course (because one cannot imagine how the student will manage the lab work) or a learning disabled student away from an expository writing course and into a debate course.

What Should an Advisor Know to Advise Students with Disabilities?

That advisors should treat students with disabilities in the same way they treat nondisabled student is a sound policy, but it ignores the fact that not all students are treated alike regardless of their status as a student with a disability. Students are individuals and one of the greatest challenges of working in the role of advisor is to meet the individual needs of each student. Instead of proposing that advisors treat students with disabilities just as nondisabled students, perhaps it would be better to treat them as students first and as students with disabilities only as an afterthought.

Advisors focus on helping students—with and without disabilities—achieve goals while fostering growth and independence. However, what constitutes development and what engenders independence may be different for the student with a disability. Independence may include learning how to advocate for their own disability-related needs and how to identify the accommodations they need to successfully compete with nondisabled peers. Depending upon the institutional arrangements, teaching these skills may or may not be part of an advisor’s purview for students with disabilities; nonetheless, allowing students to practice emerging skills is most certainly a service an advisor can and should provide.

Becoming an expert on all disabilities and how they impact learning, working, and career choice is not necessary. Expertise on the specific disabilities experienced by advisees is not needed. Unless hired specifically to advise students with disabilities, an advisor’s role is to advise the student. If student disabilities impact on the advice or counsel given, it is the student’s responsibility to inform an advisor to ensure the usefulness and appropriateness of advice for her or his particular circumstance.

What do advisors really need to know about a student’s disability? This is not an idle question. The issue of confidentiality of disability-related information is a major area of concern for students with disabilities, for disability service providers, and for the federal government. See specific rules given within federal mandates regarding the sharing of disability-related information by institutional personnel. The information is to be kept in locked files, with limited access,

and shared only when necessary—and then only with those who have a need to know specific information. By federal law, advisors do not have a need to know simply because he or she would advise the student differently based on that information, advisors only have a need to know if not knowing poses a direct threat to health or safety. Even then, needed knowledge is limited to only that information that might influence advisor's council, and that information is only provided by the student or with student permission.

For example, a student with epilepsy is planning to major in early childhood education. Does the academic advisor need to know that this individual has epilepsy or how active her or his seizures are? The law prohibits discrimination on the basis of disability. Based on the knowledge of the epilepsy, the advisor might want the student to consider a different major or career because of the potential interference of the disability. However, the advisor should not be treating the student differently than a student without disability; therefore, the advisor does not need to know about the epilepsy. A faculty member supervising the student in a practicum situation, however, may need to know about the epilepsy if the knowledge would alter the student's placement and supervision to assure the safety of the children in the class.

On the other hand, suppose an advisor is working with a learning-disabled social work student. The student is taking prerequisite courses to qualify for acceptance into the school of social work and needs a 3.2 grade-point average (GPA) to be considered for admission. The student is approaching the term in which prospective social work students do field placement observation reports. If the student's disability is in the area of math processing, an advisor needs no knowledge of the disability to advise the student in course selection. On the other hand, if the student's disability is in written language, then perhaps doing a good job on the written tasks will be both taxing and time consuming for this student. This student should not be simultaneously taking three other courses that require a great deal of written work. The advisor's knowledge of the student's disability may make a difference in his or her recommendations for course selection. Recognize, however, that knowledge about this student's problems will only be provided by the student who directly shares that information. Ability to establish rapport and trust will make the difference between being in a position to offer sound advice or not.

A Final Caution

Recently, I was part of a discussion with faculty at a small liberal arts campus about the policy development of course substitution for students with disabili-

ties. Sometimes a course substitution may be an appropriate accommodation (such as a logic course for college algebra in the case of a recreational therapy major) and sometimes it is not (such as a logic course for college algebra in the case of a business major).

Once we had established that there were times when the faculty could and should say "no" to such requests, no matter how legitimate the disability documentation or the student's difficulty in meeting a requirement in the area, one of the participants said, "Wouldn't it be a good idea, then, when we are looking at admitting students with disabilities to a given field of study, to determine whether they will be able to meet all the requirements for that field? If we don't, and we let them get all the way to the end only to find out that they cannot get past this one hurdle, they will have wasted all that valuable time and energy when we could have prevented them from having to deal with this frustration." (I have heard the same argument used by faculty seeking to deny a given accommodation to a student with a disability because "no one will ever do that for them in the 'real' world, so they will never get a job in this field. Aren't we setting these students up for a fall?") My response was to ask whether admission for other students was based on potential for course-of-study completion or on the previous completion of all the eligibility criteria as established for admission. Beware the double standard!

"For their own good" is paternalism of the worst kind. Advisors do not protect students without disabilities from the consequences of their decisions. When I get into such discussions about paternalistic behaviors, I often ask faculty members from an Education department if they would want every graduate of their program in the last 3 years to teach their own children in the classroom. Typically, faculty members think about it, pale slightly, and admit that they have seen students successfully graduate from programs who have no business being in the classroom. But the student met all the academic and practice requirements for the department and so they continued to pass them through the system and certify their preparedness for such an assignment. Advisors do not base decisions regarding students without disabilities on preconceived judgments about majoring in a given field, yet as caring individuals, advisors may inadvertently prejudge students with disabilities. Is this caring behavior, or is that being overprotective? I am not sure, but I do know that it is illegal.

Recently, I heard a speech about the opportunities for education and success offered to disadvantaged students. The speaker asked how many people in the room believed in equal opportunity in education. Everyone raised their hands. Her reply was,

"I thought so. You see, you all believe in equal opportunity, but YOU don't believe that everyone is equal." An advisor must believe that every student counseled, with or without disability, has equal potential to do exciting things with their lives. Then, and only then, will advisors be able to provide the counsel and advice that will help all students reach their goals.

Author's Notes

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