



TO: All John Jay Faculty and Staff

FROM: Ellen Hartigan, Interim Vice President for Enrollment Management/Student Affairs
Yi Li, Provost
Nadia Griffith-Allen, Director, Office of Accessibility Services
Gabriela Leal, Interim Director, Office of Compliance & Diversity

DATE: August 26, 2020

RE: Important Reminder and New Information Pertaining to Accommodating Students with Disabilities at John Jay College

As we begin a new academic year under these extraordinary circumstances, we wish to provide an important reminder to all faculty and staff and to provide a few updates concerning students with disabilities.

Under the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973 — and in furtherance of John Jay’s mission to foster equity for all students — the College is committed to ensuring an equal educational opportunity for students with disabilities. This includes providing reasonable accommodations and auxiliary aids and services for such students.

All faculty and staff play a key role in ensuring that the College meets its legal and policy obligations pertaining to students with disabilities. During this time of distance learning, it is imperative that students continue to receive their required accommodations. The Office of Accessibility Services (OAS) is available to address the unique challenges that students with disabilities may have accessing and/or adapting to distance learning and remote instruction.

There are several immediate steps you should take to support your students this fall:

- 1) Please take a moment to read CUNY’s “Reasonable Accommodations - Faculty Guide for Teaching Students with Disabilities,” located at <http://cats.cuny.edu/reasonableaccommodations/Contents.html>. This guide explains our obligations toward students with disabilities and provides support and resources to help faculty and staff meet

those obligations. Please also refer to John Jay's accessibility website:
<https://www.jjay.cuny.edu/accessibility>.

2) In addition, please read the attached guidelines. They contain important information and updates regarding accommodating students with disabilities, including during the ongoing COVID-19 pandemic.

3) Please encourage students who require an accommodation to contact and register with OAS as soon as possible. You can share this reminder at the beginning of the semester. It is also strongly suggested that you insert a reminder on your syllabus (sample language is provided in guideline 7 below). (For the Fall 2020 semester, you may provide this reminder in a follow-up communication with students if you are unable to amend your syllabus at the beginning of the semester.)

4) Please remember that students with disabilities are entitled to confidentiality over disability-related status or details. Students are not required to disclose their specific disability to their instructors or anyone else. Instructors and staff must take care not to seek the disability-related status or information from students or to disclose a student's disability status to others in or outside the classroom.

For any questions related to providing services, accommodations or supports related to students with disabilities, please contact Nadia Griffith-Allen, OAS Director, at ngriffith@jjay.cuny.edu or contact Office of Accessibility Services at accessibilityservices@jjay.cuny.edu or 212.237.8031.

For questions related to providing faculty support or inclusive online and hybrid learning, please contact Gina Rae Foster, Director, John Jay Teaching and Learning Center at gifoster@jjay.cuny.edu or contact tlc@jjay.cuny.edu.

For general questions concerning John Jay's non-discrimination policy and harassment related to students with disabilities, please contact Gabriela Leal, Chief Diversity Officer and Interim Director, Office of Compliance & Diversity, at glead@jjay.cuny.edu or 646.557.4674.

Thank you.

**Important Guidelines for Ensuring Equitable Treatment of Students with Disabilities at
John Jay College of Criminal Justice
(August 26, 2020)**

1. Distance learning and remote instruction. As the COVID-19 pandemic continues, the College and the Office of Accessibility Services (OAS) continue to support and provide accommodations to students with disabilities. OAS is available to help register students with disabilities during this period. While students are at home, they can schedule a Zoom or telephone appointment to speak with OAS specialists.

As we have transitioned to distance learning, our goal remains to ensure that required accommodations are in place. Please be aware that some students with disabilities may experience unique challenges accessing and using web-based technology or otherwise adapting to distance learning and remote instruction — and may require an accommodation, such as assistive technology, or a different kind of support. Please encourage students who have these concerns to contact OAS as soon as possible.

2. Accommodation requests. All student requests for accommodations or academic adjustments (“accommodations”) that fall under the Americans with Disabilities Act (ADA) must be vetted first by the Office of Accessibility Services (OAS). Such accommodations may impact classroom or exam protocols or other curricular or extracurricular activities. If the student directly requests an accommodation with an instructor or staff that has not been approved by OAS (or the instructor or staff has not received a copy of an Accommodation Letter listing the particular accommodation), the student should be directed to OAS to initiate the process. Faculty and staff are prohibited from denying accommodation requests on their own or from discouraging students from seeking an accommodation with OAS. Once OAS has approved a student’s accommodation request, faculty and staff must cooperate and assist in ensuring that the accommodation is delivered.

3. Notification of accommodation. Within two working days of issuing a Letter of Accommodation to a student, OAS will provide a copy of the Accommodation Letter to instructors and/or staff working with that student, as well as to their supervisor or Department Chair. OAS will also include supervisors or Department Chairs in any further communications with faculty or staff regarding the providing of student accommodations.

4. Raising concerns around an accommodation. The objective of providing accommodations for students with disabilities is to ensure their equal participation and not to dilute or fundamentally alter academic or extracurricular requirements. If a particular accommodation would cause an undue hardship to the College or would fundamentally alter the nature of the activity for which the accommodation has been requested, the College may seek a different alternative. If you think an approved accommodation is not suited to a particular situation, please contact Nadia Griffith-Allen at ngriffith@jjay.cuny.edu. Alternatives to approved accommodations must be assessed in advance by OAS.

5. Administration of exams in the OAS Testing Center. There are several points and clarifications regarding testing for OAS-registered students:

- Students who request testing accommodations must do so with OAS at least seven calendar days before a scheduled exam. If a student fails to do so but has previously received an OAS-issued Accommodation Letter that includes the testing accommodation, then the instructor and the OAS should work together to determine how the testing accommodation will be provided.
- All testing accommodations for in-person exams must take place in the OAS Testing Center unless OAS approves a different arrangement in advance. Instructors should not provide a testing accommodation on their own in lieu of an approved testing accommodation.
- Once OAS notifies the instructor that a student in the instructor’s class will take an upcoming exam in the OAS Testing Center, it is the instructor’s responsibility to ensure that OAS receives the exam to

be administered at least 48 hours before the beginning of the exam. Please contact Naisha Garris, Administrative Coordinator, at ngarris@jjay.cuny.edu to arrange drop-off or electronic transmission of the exam to OAS.

- OAS will attempt to accommodate instructors' preferences for when an exam in the OAS Testing Center should be administered; however, the precise timing of the exam will also depend on the student's schedule and the operating hours of the OAS Testing Center. This means that some exams, as determined by OAS, may occur before, during, or after other students in the class take a particular exam. OAS will notify instructors when their students' exams have been scheduled to take place in the OAS Testing Center. Instructors who have concerns about asynchronous administration of exams should contact the OAS or the Academic Integrity Unit for strategies on how to maintain or foster academic integrity while upholding the requirement to accommodate students with disabilities.
- OAS normally arranges the return of exams administered in the OAS Testing Center to instructors by the following day that the College is open. Instructors should coordinate with OAS about when and how exams are returned to them. In some cases, particularly when instructors are not available to retrieve exams in person with 72 hours, OAS may be required to scan and deliver exams to instructors electronically. Under no circumstance should students be penalized for any delays in returning exams to the instructor.

6. Pregnant or parenting students. John Jay College does not discriminate against any student on the basis of pregnancy or related conditions or parental status. Absences due to medical conditions relating to pregnancy, childbirth or related conditions will be excused for as long as deemed medically necessary by a student's doctor. Students must be given the opportunity to make up work missed due to pregnancy or childbirth. In addition, failing to accommodate pregnant or parenting students may violate Title IX of the Education Amendments of 1972. If you have questions related to Title IX, please contact Gabriela Leal, Title IX Coordinator, at galeal@jjay.cuny.edu.

7. Course syllabus guidelines. If possible, instructors are strongly encouraged to include the following statement in their course syllabus:

"Students who believe that they may need an accommodation due to a disability are encouraged to immediately contact the Office of Accessibility Services (OAS) in the New Building, room L.66 (212 237 8031), or accessibilityservices@jjay.cuny.edu. Students are welcome but not required to speak with the instructor privately to discuss specific needs for the class. Students with disabilities are entitled to confidentiality over disability-related status or details. Students are not required to disclose their specific disability to their instructors or anyone else."

8. Maintaining confidentiality. As indicated in the syllabus statement above, students with disabilities are entitled to confidentiality over disability-related status or details. Students are not required to disclose their specific disability to their instructors or anyone else. (Instructors are entitled to know when their students have registered with OAS and what accommodations they have been approved to receive.) Instructors and staff must take care not to seek the disability-related status or information from students or to disclose a student's disability status to others in or outside the classroom.

9. Additional Resources. CUNY has a Blackboard "Accessibility Course" online, located at <https://www.cuny.edu/accessibility/applications/blackboard/>, that is self-paced in 8 short modules. This course also links to CUNY's accessibility website, which is full of training resources and tools. More information can be found on CUNY's "Reasonable Accommodations - Faculty Guide for Teaching Students with Disabilities," located at <http://cats.cuny.edu/reasonableaccommodations/Contents.html>.

For any questions, please contact Nadia Griffith-Allen, OAS Director, at ngriffith@jjay.cuny.edu or contact:

Office of Accessibility Services
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524 West 59th Street
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