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An Examination of Community College Faculty Members' Knowledge
of the Americans with Disabilities Act of 1990
at the Fifteen Community Colleges in Mississippi

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Abstract

The purpose of this study was to examine faculty knowledge of the Americans with Disabilities Act (ADA) policies and guidelines. The Assessment of Faculty Knowledge of the Americans with Disabilities Act of 1990 Policies and Guidelines, adapted from an assessment research study of university faculty conducted by Thompson, Bethea, and Turner (1997), was administered to 300 full-time academic and vocational/technical faculty at the 15 community colleges in Mississippi. Assessment items related to the three thematic areas of the Americans with Disabilities Act: (a) treatment of individuals with disabilities, (b) modifications to college programs, and (c) academic adjustments. Findings suggest that Mississippi community college faculty have very limited knowledge of the ADA's implications for faculty, student, and staff responsibilities or rights. Recommendations for increasing faculty awareness of ADA policies and guidelines are proposed.

With the passage of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990, federal law prohibits postsecondary institutions from subjecting students with disabilities to discriminatory acts. The ADA mandates that postsecondary educational institutions provide accommodations that offer students with disabilities equal opportunities to those available to non-disabled students (Frank & Wade, 1993). More specifically, the ADA requires accommodations that include modifications to academic programs, such as a time extension for completion of degree requirements, and academic adjustments, such as interpreters or notetakers (ADA, 1990).

Postsecondary institutions are reporting increased difficulty in providing college students with disabilities with the academic accommodations that meet federal regulations (Almeida, 1991; Brinckerhoff, Shaw, & McGuire, 1992; Burns, Armistead, & Keys, 1990; Enright, 1993; Heyward, Lawton, & Associates, 1995). More than 10% of all complaints received by the Office for Civil Rights (OCR) between October 1, 1993 and September 30, 1995 alleged disability discrimination at a postsecondary institution (OCR Finds, 1996). The increase in discriminatory complaints may be the result of more students with recognized disabilities enrolling in postsecondary education (Brinckerhoff, Shaw, & McGuire, 1992). Henderson (1993) found, for example, that 8.8% of all college freshmen reported having some type of disability in 1991, an increase from 2.6% in 1978. In a report prepared for the American Association of Community Colleges, Barnett and Li (1997) noted that the largest proportion of postsecondary students with disabilities attend community colleges. Barnett and Li analyzed data provided by 672 colleges in the United States, U.S. territories, and Canada and found that 71% of students with disabilities attend community colleges, while only 29% of students with disabilities enroll in public four-year colleges or universities. As a result, community colleges face greater challenges than other postsecondary institutions in providing appropriate accommodations for students with disabilities.

The literature indicates a correlation between the increase in disability discriminatory complaints filed against postsecondary institutions and a lack of faculty awareness of ADA requirements (Kincaid, 1996; Shea, 1994; Rothstein, 1986). In a study of 124 state university faculty conducted 16 years after the passage of the Rehabilitation Act of 1973, Leyser (1989) found that 46.5% of faculty were somewhat familiar, 40.4% were very familiar, and 13.1% were not familiar with federal and state disability laws. In contrast, Thompson, Bethea, and Turner's (1997) study of 400 southeastern university faculty members found that only 56% of faculty responded correctly to 19 items of a 25-item assessment on disability law.

Numerous disability related court cases have been filed since the passage of the Rehabilitation Act of 1973. A sample of early court cases related to educational systems and the ADA will be provided in three thematic areas: (a) treatment of individuals with disabilities, (b) modifications to college programs, and (c) academic adjustments.

The Americans with Disabilities Act of 1990 provides individuals with disabilities protection from discriminatory treatment based on handicap. In Howe v. Hull (1994), for example, the U.S. District Court, Northern District of Ohio, established a precedent by ruling that persons with disabilities are permitted to sue individuals as well as public institutions. The U.S. District Court found that if any person in a position of authority performs a discriminatory act that is at odds with an institution's guidelines, then that person may be held personally liable.

In the area of modification to college programs, the court case of Southeastern Community College v. Davis (1979) is representative. Davis was denied admission to a nursing program based on a communication disability. The U.S. Supreme Court ruled that there was no violation of Section 504 of the Rehabilitation Act of 1973 when Southeastern Community College found that Davis failed to meet the specified requirement that nursing students understand speech without reliance on lip-reading for admission to its nursing program. Southeastern would have been forced to make a fundamental modification in its nursing program in order to admit Davis.

The Americans with Disabilities Act, under mandated academic adjustments, prohibits the instigation of rules that limit participation of students with disabilities in educational programs. Academic adjustments such as notetakers or interpreters must be provided by postsecondary institutions. In Crawford v. the University of North Carolina (1977), for example, a deaf student claimed that the university failed to provide the accommodation of employing an interpreter for the student. The United States District Court of North Carolina, Durham Division, directed the university to provide sign language interpreters at no cost to the student.

Since these early legal disputes, court cases have continued to increase, indicating a need to better understand faculty awareness of ADA related to these three thematic areas. The purpose of this research study was to examine community college faculty members' knowledge of the Americans with Disabilities Act of 1990 policies and guidelines. Three research questions were examined:

1. How knowledgeable are full-time academic and vocational/technical community college faculty members of the Americans with Disabilities Act of 1990 policies and guidelines?
2. Do full-time community college faculty members receive college-sponsored training on the provisions of the Americans with Disabilities Act that require special accommodations?
3. Are full-time academic community college faculty members more knowledgeable of ADA policies and guidelines than full-time vocational/technical community college faculty members?

Method

Participants

The participants in this study were selected from a population of 1,816 community college faculty members employed full-time during the 1997-1998 school year; 996 were full-time academic and 820 were full-time vocational/technical faculty members. Faculty were proportionately selected from each college. A random sample of 150 academic faculty members and 150 vocational/technical faculty members was selected using a table of random numbers. The majority of faculty (78%) had over six years of experience in higher education. 55 % of the faculty were female and 39% of the faculty were male, reflective of the gender distribution of the faculty population (6% of the respondents did not specify gender). Each Mississippi community college president designated a campus contact person to assist the researcher in identification of participants.

Instrumentation

A modified version of an assessment instrument developed by Thompson, Bethea, and Turner (1997) at Mississippi State University was used in the study. The Thompson et al. instrument showed a Cronbach coefficient alpha of 0.96 for internal consistency. A pilot study of the modified Faculty Assessment of Knowledge of Americans with Disabilities Act of 1990 Policies and Guidelines was conducted at Hinds Community College. Five full-time academic and five full-time vocational/technical faculty participated in the pilot. Using a classical split half correlation between even and odd items on the pilot study assessment, a Pearson's r-value of .63 was obtained. The Spearman Brown Prophecy statistic yielded a relative coefficient of .77, which indicates a correlation between the two halves and is indicative of acceptable

reliability. The decrease in internal consistency measures between the Thompson et al. assessment and the modified version may be attributable to differences in the samples and the number of items.

The instrument (see Appendix) consisted of two sections: 1) an eight item demographic page, and 2) a 23-item ADA assessment. The first section requested the following standard demographic information from faculty: (a) title (academic, vocational, technical), (b) gender, (c) years of experience in higher education, (d) number of students with disabilities taught or advised during the last four years, (e) identification of types of students' disabilities (communication disorder, learning disability, mobility impairment, psychiatric disability, hearing impairment, deaf, vision impairment, other), (f) resources used to increase knowledge of disability legal requirements (video, workshops, faculty resource guide, newsletters), (g) college-sponsored training about the provision of special accommodations for students with disabilities (yes or no), (h) description of college sponsored training.

The second section of the instrument requested faculty response ("yes," "no," or "don't know") to items related to ADA policies and guidelines. The items yielded an overall score for each faculty member based on the number of items answered correctly. Each item of the assessment section related to three thematic areas of the Americans with Disabilities Act. The three thematic areas included: (a) treatment of individuals with disabilities, (b) program modifications, and (c) academic adjustments. The Americans with Disabilities Act (1990) prohibits discriminatory treatment of individuals with disabilities. Modifications to college programs include extended time to complete degree requirements, course substitutions, or change in the methodology of conducting courses. The ADA (1990), under required academic adjustments, prohibits the instigation of rules that limit participation of students with disabilities in educational programs. ADA academic adjustments include provision of special accommodations such as sign-language interpreters, notetakers, or readers.

Data Collection

The Executive Director of the Mississippi Association of Community and Junior Colleges (MACJC) arranged for the researcher to give a brief presentation to the community college presidents at the November, 1997, MACJC meeting. The researcher made three requests of the presidents: (a) the signing of a personal letter of support for the study, (b) the identification of a contact person at the institution who would assist the researcher with distribution and collection of assessments, and (c) the provision of a list of all full-time academic and vocational/technical faculty. All college presidents voted to support the study. The University of Mississippi Institutional Review Board for Human Subjects Research granted approval for the study.

Copies of the Assessment of Faculty Knowledge of the Americans with Disabilities Act of 1990 Policies and Guidelines, cover letters from the appropriate community college president, and self-addressed return envelopes were mailed to the designated campus contacts for distribution to each of the 300 faculty members. Faculty were advised in the cover letter that the assessment was anonymous and that individuals and institutions would not be identified in the study. The return date for the assessment instrument was included on the instruction page and in the cover letter. Subjects were directed to return the assessment to the designated contact person on the college campus. The contact person returned all completed assessments to the researcher. A total of 233 faculty across campuses completed assessments, resulting in a response rate of 78%.

Data Analysis

Demographic data were analyzed using descriptive statistics. An overall score was calculated for each faculty member based on the number of items answered correctly. For research question 1, an overall correct response rate of 80% or higher on the 23 item assessment was defined by the researcher as an acceptable knowledge of ADA policies and guidelines. Incorrect or "Don't know" answers were combined to indicate lack of knowledge of ADA policies and guidelines. For research question 2, simple percentages were used to delineate faculty receiving college-sponsored training on the Americans with Disabilities Act. The t test of independent samples was used to test the means of academic and vocational/technical faculty responses for research question 3. An alpha level of 0.05 was used for all statistical tests.

Results

Faculty Knowledge of ADA

The first research question examined faculty knowledge of the Americans with Disabilities Act. Approximately two fifths (39%) of community college full-time academic and vocational/ technical faculty demonstrated an acceptable level of knowledge (correct response rate of 80% or higher) of ADA policies and guidelines. The percentage of correct faculty responses for items within each of the three thematic areas is shown in Table 1.

In the thematic area, Treatment Of Students, approximately one fourth (23%) of the overall faculty demonstrated an acceptable level of knowledge of ADA policies and guidelines by responding correctly to six of seven items (86%). This thematic area represented the lowest level of faculty knowledge of ADA policies and guidelines. Specifically, less than half of the overall faculty responded correctly to the five items shown in Table 2 indicating a need for greater faculty awareness in these areas.

In the thematic area, Modification To Programs, half of the overall faculty (49%) responded correctly to seven of nine items (78%). In the thematic area, Academic Adjustments, roughly three fifths (61%) of the overall faculty responded correctly to six of seven items (86%). The three questions answered correctly by less than half of the overall faculty are shown in Table 3. These question items indicate a need for greater faculty awareness in the specific areas.

Faculty Training on ADA

The second research question examined college sponsored training on the Americans with Disabilities Act. Sixty-seven faculty members (29%) indicated that they had received college-sponsored training on the provision of special accommodations for students with disabilities, while 161 faculty members (69%) indicated that they had not received college-sponsored training. Five faculty members (2%) failed to respond to the item. Faculty members who indicated that they had received college-sponsored training were asked to describe their training. The following quotations illustrate the types of training faculty members received:

- (The) college provides workshops concerning ADA and ways to provide services.
- I have attended three college-sponsored staff development sessions on learning disabilities and have been adequately informed about the ADA.
- Workshops, division meetings, faculty meetings, special committee meetings. I myself have a hearing impairment and use two hearing aids. Even so, I don't hear all that is said in meetings. No one gives a tinker's damn about my disability and I have not been held back by lack of concern.

These statements are a sampling of responses from faculty participants concerning the training received on the Americans with Disabilities Act. Of the 67 faculty members who indicated that they had received ADA training as part of college staff development activities, only three faculty members indicated that they had received additional ADA training while attending conferences and workshops sponsored by state or national organizations.

A one-tailed t test, used to compare the two means (academic faculty ($M = 55.985$) and vocational/technical faculty ($M = 53.212$)), showed no significant difference between academic and vocational/technical faculty mean scores [$t = 1.146$ ($df = 231$), $p = .126$]. An alpha level of 0.05 was used for all statistical tests. Therefore, there was no significant difference between community college academic and vocational/technical faculty knowledge of policies and guidelines of the Americans with Disabilities Act.

Conclusions

The following conclusions may be drawn from the results of this study:

- The majority of academic and vocational/technical faculty at the 15 community colleges in Mississippi do not demonstrate the designated "acceptable level" of knowledge of the Americans with Disabilities Act of 1990 policies and guidelines.
- Lack of sufficient knowledge of the ADA may be related to the fact that only 29% of faculty had received college-sponsored training on the ADA.
- There is no significant difference in the knowledge of the ADA policies and guidelines between academic and vocational/technical community college faculty.

Discussion of Results

The first research question examined academic and vocational/technical faculty knowledge of the Americans with Disabilities Act policies and guidelines. Results showed that only two fifths (39%) of faculty responded correctly to 18 of 23 questions (78%) on a 23-item assessment. These findings support earlier findings by Thompson, Bethea, and Turner (1997). Thompson, Bethea, and Turner examined university faculty knowledge of the ADA policies and guidelines and found that 56% of university faculty responded correctly to 19 of 25 items (76%) on a 25-item assessment. In contrast to Thompson, Bethea and Turner's study, the community college faculty's knowledge of the ADA policies and guidelines in this study was noticeably lower. This finding suggests that community college faculty is not as knowledgeable of ADA policies and guidelines as the university faculty in Thompson, Bethea, and Turner's study.

Only 29% of faculty members indicated that they had received college-sponsored training about provision of special accommodations for students with disabilities. Consistent with prior research (Aksamit, Morris, & Leuenberger, 1987; Frank & Wade, 1993; Leyser, 1989; Matthews, Anderson, & Skolnick, 1987; Smith, 1997; Thompson, Bethea, and Turner, 1997), the findings of this study indicate that additional faculty training on ADA issues is needed at community colleges in the U.S. Results show that there is no significant difference between academic and vocational/technical faculty knowledge of the ADA policies and guidelines.

Limitations of the Study

This study was limited to faculty members at the fifteen Mississippi community colleges, specifically full-time academic and vocational/technical faculty. Further this study was limited to Title III, Subpart E of the Americans with Disabilities Act, which specifically refers to postsecondary education programs and activities.

Summary

In summary, community colleges need to enhance faculty training on the Americans with Disabilities Act of 1990. Findings of this study and previous research suggest that the majority of community college faculty do not demonstrate an acceptable level of knowledge of ADA policies and guidelines. Institutions need to increase faculty awareness of the Americans with Disabilities Act of 1990 in order to help mitigate the increasing number of disability discrimination complaints and related court cases filed against postsecondary institutions. Increased faculty awareness of ADA policies may also positively impact the recruitment, retention, and completion of students with disabilities in postsecondary settings.

Further research is recommended to examine effective methods of providing ADA training to community college faculty including ways to determine faculty preferences for receiving training on ADA issues. In Mississippi, further research is needed to examine community college administrative and support staff knowledge of the Americans with Disabilities Act as well as the role of the Disability Support Services Office in training college personnel to comply with the Americans with Disabilities Act.

Table 1

Percentage of Correct Responses by Faculty to ADA Survey

Theme	Item	Overall Faculty Correct Responses	Academic Faculty Correct Responses	Vo-Tec Faculty Correct Responses
Treatment of	1	87%	81%	76%
			Students	34%
	3	39%	42%	35%

	14	23%	24%	22%
	20	20%	23%	16%
	22	75%	76%	72%
	23	38%	39%	35%
Academic	4	54%	52%	57%
Adjustments	5	66%	67%	63%
	6	63%	65%	60%
	7	86%	83%	90%
	15	73%	75%	70%
	16	61%	64%	57%
	19	75%	78%	69%
Modification	8	58%	58%	60%
to Programs	9	35%	33%	37%
	10	66%	67%	64%
	11	62%	63%	61%
	12	63%	61%	65%
	13	63%	61%	66%
	17	80%	81%	78%
	18	46%	52%	38%
	21	49%	52%	45%

Note. n=233

Table 2

Items with the Lowest Correct Response Rate in the Thematic Area, Treatment Of Students

Item Number	Assessment Instrument Question
2	Faculty and staff in higher education are required to provide a student with a disability accommodation even if the student does not request it.
3	A student with a disability may ask for and expect accommodation in a classroom even though the student has not provided documentation that the disability exists.
14	Faculty members have the right to access diagnostic information regarding a student's disability.
20	The instructor must meet with a student with a visual impairment before class to make sure the student has resources to complete the course requirements.

- 23 An institution of higher education must follow a grievance procedure that includes a grade change if appropriate disability-related accommodations were not provided.

Table 3

Items with the Lowest Correct Response Rate in the Thematic Area, Modification To Programs

Item Number	Assessment Instrument Question
9	Student requests for accommodation must be granted even when the accommodation would result in a fundamental alteration of the program.
18	Faculty must restructure the presentation of their courses and their course requirements if a student with a disability requests it.
21	Nothing within the ADA or Section 504 requires a college to waive essential course requirements, however a refusal to grant a waiver must be justified.

Assessment of Faculty Knowledge of the Americans with Disabilities Act of 1990 Policies and Guidelines

The statements below are part of a research project to determine faculty/staff knowledge of disability laws. This assessment is anonymous and your name will not be included in any way. Please return this assessment to _____ in the enclosed addressed envelope by _____.

- Your title: (Please check one.)
 Instructor: Academic Vocational Technical
- Your gender:
 Female Male
- Years of experience in higher education:
 Less than 1 year
 1-5 years 6-15 years more than 15 years
- The number of students with disabilities whom you have taught/advised during the last four years:
 0 students 1-5 students 6-10 students
 11-15 students More than 16 students
- If you have taught students with disabilities during the past four years, please place a check next to the types of disabilities your students have or have had.

<input type="checkbox"/> Communication disorder	<input type="checkbox"/> Hearing impairment
<input type="checkbox"/> Learning disability	<input type="checkbox"/> Deaf
<input type="checkbox"/> Mobility Impairment	<input type="checkbox"/> Vision Impairment
<input type="checkbox"/> Psychiatric disability	<input type="checkbox"/> Other (Please specify.)

- What resources have you used to increase your knowledge of disability legal requirements?
 Video Workshops Other (Please specify.) _____
 Faculty Resource Guide Newsletters
- Have you received college-sponsored training about the provision of special accommodations for students with disabilities?

___ Yes ___ No

8. If yes to seven, please describe below.

Don't Yes No

Know

1. A person is considered to be a person with a disability if he/she has the disability, has a record of the disability, or is regarded as having the disability.
2. Faculty and staff in higher education are required to provide a student with a disability accommodation even if the student does not request it.
3. A student with a disability may ask for and expect Accommodation in a classroom even though the student has not provided documentation that the disability exists.
4. Students are required to assume the responsibility for securing a necessary accommodation.
5. A classroom's location must be changed to provide accessibility for a student with a mobility disability.
6. An instructor who decides that a student with a documented learning disability does not need extended time on a test may choose not to give this accommodation.
7. The method of administering an exam must be altered if the testing procedure puts a student with a disability at a disadvantage based on the student's documented disability.
8. A student with a speech disorder must be given an alternate assignment to presenting an oral report.
9. Student requests for accommodation must be granted even when the accommodation would result in a fundamental alteration of the program.
10. The university may refuse to grant a student's request for an accommodation which is not supported by the student's documentation.
11. If a student with a visual disability is enrolled in a class, the institution must provide all handouts in the alternate format requested by the student.

Yes
No
Don't
Know

12. The institution must make course material on reserve in the library available in alternate format for students with visual disabilities enrolled in the course.

13. If a student with a disability has difficulty writing, the instructor is responsible for providing the student with an oral test.

14. Faculty members have the right to access diagnostic information regarding a student's disability.

15. If a student's documentation specifically recommends a quiet testing area with no distractions, the instructor must allow the student to take an exam in a room different from the classroom with a proctor.

16. An individual faculty member who fails to provide an accommodation to a student with a documented disability may be held personally liable.

17. The instructor's academic freedom permits the instructor to decide if he/she will provide special aids and services for students with disabilities in the classroom.

18. Faculty must restructure the presentation of their courses and their course requirements if a student with a disability requests it.

19. Asking to copy the notes of other class students is a reasonable accommodation for a student with a learning disability who finds note taking distracting from his/her ability to listen to the class lecture.

20. The instructor must meet with a student with a visual impairment before class to make sure the student has resources to complete the course requirements.

21. Nothing within the ADA or Section 504 requires a college to waive essential course requirements, however a refusal to grant a waiver must be justified.

22. Accommodations for testing such as readers, scribes, or the use of adaptive equipment must be provided for a student with a documented disability.

Yes
No
Don't
Know

23. An institution of higher education must follow a grievance procedure that includes a grade change if appropriate disability-related accommodations were not provided.

Answer Key:

1. yes
2. no
3. no
4. no
5. yes
6. no
7. yes
8. yes
9. no
10. yes
11. yes
12. yes
13. yes
14. no
15. yes
16. yes
17. no
18. no
19. yes
20. no
21. yes
22. yes
23. yes

Note: From "Faculty knowledge of disability laws in higher education: A survey," by A. Thompson, L. Bethea, and J. Turner, 1997, *Rehabilitation Counseling Bulletin*, 40, p.166. Copyright 1997 by A. Thompson. Adapted with permission.

References

- Aksamit, F., Morris, M., & Leuenberger, J. (1987). Preparation of student services professionals and faculty for serving learning disabled college students. Journal of College Student Personnel, 28, 53-59.
- Almeida, D. (1991). Do under-prepared students and those with lower academic skills belong in the community college? A question of policy in light of the "mission". Community College Review, 18, 28-32.
- Barnett, L. & Li, Y. (1997). Disability support services in community colleges. (AACC Publication No. AACC-RB-97-1). Washington, D.C. American Association of Community Colleges.
- Americans With Disabilities Act of 1990, 42 U.S.C.A. § 12101 et seq. (West 1995).
- Brinckerhoff, L., Shaw, S., & McGuire, J. (1992). Promoting access, accommodations, and independence for college students with learning disabilities. Journal of Learning Disabilities, 25, 417-429.
- Burns, J., Armistead, L., & Keys, R. (1990). Developing a transition initiative program for students with handicapping conditions. Community/Junior College Quarterly of Research and Practice, 14, 319-330.
- Crawford v. University of North Carolina. 440 F. Supp. 1047. (1977).
- Enright, M. (1993). Career development of college students with disabilities: Results from a national survey of 2-year colleges. Madison, WI: University of Wisconsin-Madison.
- Frank, K. & Wade, P. (1993). Disabled student services in postsecondary education: Who's responsible for what? Journal of College Student Development, 34, 26-29.
- Henderson, C. (1993, June-July). College freshmen with disabilities: A statistical profile. Heath Resource Center of the American Council on Education. 1-4.
- Heyward, Lawton & Associates. (1995). Faculty members and service providers: The unhappy alliance. Disability Accommodation Digest, Sample Issue. 1-3.
- Howe v. Hull, 873 F. Supp. 72,77 (N.D. Ohio 1994).
- Kincaid, J. (1996, January). Recent legal decisions. Alert: Association on Higher Education and Disability. 1.
- Leyser, Y. (1989). A survey of faculty attitudes and accommodations for students with disabilities. Journal of Postsecondary Education and Disability, 7, 97-108.
- Matthews, P., Anderson, D., & Skolnick, B. (1987). Faculty attitude toward accommodations for college students with learning disabilities. Learning Disabilities Focus, 3, 46-52.
- Rothstein, L. (1986). Section 504 of the Rehabilitation Act: Emerging issues for colleges and universities. Journal of College and University Law, 13, 229-265.
- Shea, C. (1994, September 7). Invisible maladies. The Chronicle of Higher Education. A53-A55.
- Smith, M. (1997). The college access, retention, and employment (CARE)

program. Washington, D.C.: U.S. Department of Education Office of Special Education and Rehabilitative Services.

Southeastern Community College v. Francis B. Davis, 442 U.S. 397, (1979).
Thompson, A., Bethea, L., & Turner, J. (1997). Faculty knowledge of disability laws in higher education: A survey. Rehabilitation Counseling Bulletin, 40, 166-180.