

UNIVERSITY OF NOTRE DAME STUDENT SENATE

November 19th, 2018

Meeting Agenda

- I. Opening Prayer
- II. Roll Call
- III. Approval of Minutes
 - A. Motion to approve: Zach Spitzer
 - B. Second: Patrick Paulsen
 - a) Vote: All approved
- IV. Executive Announcements
 - A. Corey Gayheart: Please try to speak up if you're talking because there is a weird echo and it's hard to hear everyone.
 - B. Bri Tucker: There will be a student panel for information modeling with the Information Technology Center to understand the connections between information and data that they collect and how that relates to other things at the University. They're trying to see how much information we would like to see from them and how much we would like to give to them. There is a meeting on November 28th from 6:00-8:00 in the McNeil Room downstairs. We're looking for 10-20 students, with personalized Chipotle and a \$50 Domer Dollars Raffle. Please see me after the meeting.
 - C. Gates McGavick: Recker's has closed down. We're having Campus Dining come next week or the week after to share positive news from them about Reckers.
 - D. Corey Gayheart: Erin Hoffman Harding will be coming to our first meeting back from Christmas Break to discuss the Inclusive Campus Survey results. If you haven't already, please read the report and the data from that survey. Seek feedback from your residents and we will go over that in January.
 - E. Corey Gayheart: We want to make sure our conversations are positive and solutions-based. Just keep that in mind for tonight and moving forward.
- V. General Orders
 - A. Presentation from Scott Howland, Director of the Sara Bea Center
 1. Scott Howland: I am the Program Coordinator for Sara Bea Disability Services, and I am here with Mandie Waling and Bill Stackman. I am glad to give you a brief introduction to our office. I wanted to start out with

telling you about the students that we work with: last year, we had 952 students register, about 8% of the student population. The top 4 categories are ADHD, Mental Health conditions, Chronic Medical Conditions, and Learning Disabilities. We also have students with temporary conditions (broken arms, can't take tests, etc.). The "other" category includes visual, hearing, mobility, and students on the autism spectrum. Over the years, it has mostly been students with ADHD and learning disabilities, but in the last five years, we had 579 students and so there has been a considerable increase in mental health, chronic medical, and ADHD categories. Since last year, we've had an increase of 50 students with mental health conditions. The most commonly requested accommodations include testing, note takers, accessible formats of textbooks/course material (so that people can use technological versions), academic adjustments (some sort of modification to a course), and housing accommodations. There are three Federal Laws that provide protection for students with disabilities and ensure their rights to an equally accessible education: 1973 Rehabilitation Act, the Americans with Disabilities Act, and the Fair Housing Act (ensure rights in college dorms). The process which we go through on a daily basis and is established by the framework of these laws is how we determine what accommodations are reasonable. A student must initiate a request to our office. We ask for medical documentation that verifies the condition and supports the need for the accommodation. We will consult with relevant parties on campus (faculty, academic departments, residential life, food services, etc.) to determine what accommodation we can provide. An accommodation cannot fundamentally alter the nature of a program or a university policy including class, college, or major standards. An example is a student diagnosed with ADHD. Their doctor shows they have a discrepancy in how they process information. They request to have extended time and a room with less distractions when they are taking test. Our office and the instructor of the course are consulted. The question is if the extended time alters what the test is designed to evaluate. Another example is a student with social anxiety disorder. Their doctor states that it makes it difficult to participate and do presentations in front of the class. They request to submit a written paper instead of making presentations in her CSEM. The parties consulted would be our office, the instructor, Director of the CSEM program, and the Dean's office. The question would be if the request fundamentally alters the design of the academic program. The focus of CSEM is on oral presentation and participation in class discussions. The accommodation

for this might not be reasonable, but we could make alternative accommodations. I wanted to mention that some of the other offices that we work with include the University Health Services, University Counseling Center, McDonald Center for Student Wellbeing, and Care and Wellness Consultants. The Care and Wellness Consultants provide a resource for students that are struggling or have concerns. Every student has a consultant based on their college. Are there any questions?

2. DC Morris: Have you guys done anything with specific anxiety like if they can't sit in a massive lecture hall?

a) Scott Howland: That request has not come up, but it has come up in test situations, like students have been in departmental exams outside of the classroom. We provide a different setting to take the test.

3. Zach Spitzer: Say a student was involved in an oral presentation class but they had a condition that made it difficult for them to present on things. Would there be a scenario where oral presentation skills are too integrated in the course to take it, or would there be accommodations, or how does that work?

a) Scott Howland: I wanted to give you an example where there's a limit to what accommodation could be made. I used CSEM as an example because it's heavy on presentations. It's not that we couldn't work with the instructor, but we would try and find accommodations that would meet the requirements of that class. We would try and find an alternative way for the student to meet the requirements, such as presenting one-on-one to the professor or submitting written responses.

4. Andrew Seketa: What is your vision looking like with respect to this group?

a) Scott Howland: As you've seen, we have a growing need for students with accommodations. We are looking for better resources, more space on campus, more staffing, ways in which we can work better together and more efficiently so we can meet the needs of the students, and how we can better meet the needs of students in the accommodation process.

b) Bill Stackman: What we did a year ago was an external review where we called upon our colleagues across the country and we asked them to come together at Notre Dame to talk to people, look at the disability services to get ideas and recommendations for us to improve our services, and they came and provided us with a list

of recommendations, and now we're doing a search for a new director for a new center called the "Center for Student Support and Care," which we will be combining in Coleman Morse. We will be adding staff as well to make sure that the student to staff ratio will be for a campus this size, especially with the population we're serving. We've had over 1000 referrals to the Care Consultant program from faculty, deans, and rectors.

5. Alyssa Ngo: On the recent Inclusive Campus Climate Survey, it was shown that mental health leads to student adverse treatment from faculty and professors in the classroom. I know someone that had to miss class because of anxiety and a professor said that it was made up and the work was not excused. The student is now very stressed out and does not know what to do. Is there any kind of reporting system in place for students to address the discrimination they face from professors?

a) Scott Howland: If you know someone with that experience, make sure they're working with our office so we can work with the professors. I know people have concerns about discriminations, but we don't have specific mechanisms for disability services, but based on the information from the report, people might be able to be in touch with us to let us know about that.

6. Margaret Meserve: One question we come across as Hall Staff, is about the Three Year Rule. Does the Disability Services Community get involved in evaluating the new Housing Policy?

a) Scott Howland: Yes, we would be involved if someone asked to be waived of that policy. If a student athlete is making a request for a waiver, they would work through our office to present medical documentation. Our approach is that if we cannot meet a student's request on campus, we will support that and we will try to move them off campus.

b) Margaret Meserve: When you were going through the steps, you look to see if living on campus for three years integral to the community?

(1) Scott Howland: You have to look at it case-by-case to meet their needs.

B. Discussion on the STAT Article with Dr. Bill Stackman, Associate Vice President for Student Services (regarding University Accommodations for Students with Disabilities)

1. Bill Stackman: I would like start off by saying how I'm glad this is a concern of yours. It has been a concern of ours, and the way that it's being

framed is concerning, and it's unfortunate that it's out there the way that it is because we try very hard to protect the rights of students.

2. Lindsay McCray: So that STAT article, and it was in the presentation, that one of the parts of the process is that Notre Dame will talk to their own people to see if it's reasonable. Who did Notre Dame talk to?
 - a) Bill Stackman: Every case, we spend a lot of time talking to many many people. There are experts out there. I'm not an expert, and so we need the voice and the opinions of them. We talked to treatment providers on and off campus.
 - b) Scott Howland: One of the inaccuracies is that we did not talk to the student's doctor. We also consulted with local experts in this area, not only to use the information provided by the student's doctor but others.
3. Andrew Seketa: I would like to hear your framing of the process and the decision making behind it.
 - a) Bill Stackman: Without getting into some of the specifics, the article framed us in a way that we don't care about this issue or students with disabilities. The amount of time and effort that we have given to growing our services is a lot so to hear that we don't care about this issue is frustrating to me. I would say that when we looked at the steps we took in this case, other options that we offered to make the student were reasonable and they could have worked. It felt to me that we heard the case and closed the door.
4. Zach Spitzer: I wanted to point out that his neurologist voiced these concerns for a consistent uninterrupted sleep schedule to decrease risk of seizure activity. Did the neurologist change his mind? He seemed pretty set that this was an important concern.
 - a) Scott Howland: We carefully listened to what the doctor was saying, and we looked at carefully what they were telling us and what other medical experts were telling us. We're not discounting the epilepsy, but we felt we could provide an accommodation for their medical needs?
5. Alyssa Ngo: Can you explain what the accommodations were?
 - a) Bill Stackman: There were probably a dozen different options including different locations, things we don't typically do, sometimes there are policies that we can't change but we were willing to to make sure they can get the space they need.
6. Erin Hiestand: Was a single not offered because it wasn't necessary or because having a roommate is a part of the experience?

- a) Scott Howland: We carefully look at what would be a fundamental change to our housing beliefs, and being a freshman was a key part of that, and so that was a part of our residence halls.
 - b) Bill Stackman: We want all students to have a dorm experience and to live on campus, and there are times when we have allowed a person to live off campus because that is what they needed. We are willing to make those accommodations when necessary.
7. Lindsay McCray: So a lot of Notre Dame Undergrads have good things to say about the Sara Bea Center and how requesting a Sara Bea Center does everything they can. If this student were here and were a sophomore, junior or senior, would this have been as much of a conversation.
- a) Scott Howland: No. I can't give you the exact outcome, but there would be different factors in the discussion.
 - b) Lindsay McCray: So if it would be less of a conversation if he was older, and if he was considered part of the Notre Dame community from the minute he was accepted, if we are acknowledging that it would be reasonable request for an upperclassman?
 - (1) Scott Howland: We have to look at our housing policy, and it was his decision in the end.
8. Alyssa Ngo: Compared to other universities, we consider that living in a community is very important, but I do know that in my year, there was a freshman in my section, someone had a full time live in nurse, so she wasn't living alone, but she wasn't socializing with another member of the community. How is that a different situation?
- a) Scott Howland: If we have a student that needs 24 hours nursing care, that's a different situation. We have to consider the impact of the other person on the student. If there is a student who needs medical equipment, they impact the community of the hall and the room.
9. Erin Hiestand: In this situation, did you consider the anxiety the roommate might feel?
- a) Scott Howland: That's always a consideration but that wasn't a topic of conversation.
10. Matthew Jennings: Was this student not granted a single because he was a freshman or because even if he were he wouldn't be given the appropriate accommodations?
- a) Scott Howland: The decision we reached was based on the information we gathered, and we felt that we could grant the accommodation with the options we offered.

- b) Matthew Jennings: I'm confused because you're saying that we couldn't offer him a single?
 - c) Scott Howland: We met some of his other requests, but not for a single.
11. DC Morris: What were the benefits for him living in a double?
- a) We all are here for the unique aspects of Notre Dame, and the benefits of that are that he's part of the Notre Dame community, living in the residence hall, and people talk fondly of their experiences in the residence halls, and they are still very loyal to their halls. That aspect is unique from a Christian living aspect and the new things it offers in your time at Notre Dame.
 - b) Bill Stackman: Something we mentioned is that we don't have a whole lot of singles to offer the students, and it's not like we have a bunch of those, and those are held for other people, and we have given those to freshmen before, but we need justification and we need to see that there is no other way to meet those accommodations.
12. Lindsay McCray: If he had chosen to come here and accept their accommodations and if he had had a seizure, would that be a liability for Notre Dame?
- a) Scott Howland: I am not in a position to comment on the liability, but any student that comes here knows that there are certain risks.
13. Zach Spitzer: Is there a significant difference in the way that people evaluate medical needs compared to other schools?
- a) Scott Howland; We're pretty familiar with how other schools evaluate medical needs, but the key is evaluating the need in the context of which its made. It isn't possible for us to make decisions for St. Mary's or Holy Cross. It has to be made by people that are familiar with the policies of the school.
 - b) Bill Stackman: We have spent a long time trying to understand the laws that guide our decisions, and we have been well educated on those and have looked at comfort animals and service animals, and adjusting our housing policies and we feel really good about our policies and procedures. There are many other schools where our housing is so different than ours.
14. Sam Cannova: Did you know if there were any singles left vacant on campus?
- a) Scott Howland: We were in full capacity going into the fall semester.

- b) Sam Cannova: Do you think there exist any conditions that would require a student to live in their own room?
 - c) Bill Stackman: If they needed it, we would absolutely report it. There needs to be a lot of information given there, and we have done it before.
 - d) Sam Cannova: From what I read, it sounds like it very well could be necessary. Could you walk me through your process of determining how you made this decision?
 - e) Scott Howland: We have doctors who we consult with questions to have clarifications, but in this situation, based on the medical documentation we received, we offered an effective accommodation. If you're using the article as a source of information, you need to talk that with a grain of salt.
15. Alyssa Ngo: We don't want to discredit the great work that you do on campus, but this article has been making waves within the community, so as a follow up question to Sam's question, as we see from the timeline, they presented the request for an accommodation, and then in consultation with other doctors, you made a decision. Was the offer made validated by James's doctor or was there a response?
- a) Scott Howland: The only information i received was the initial documentation sent and I had two phone conversations from him as well. I didn't hear from him after the decision was made.
16. Jordan Theriault: Going forward, what other procedures would be enacted into the decision process that would clarify whether or not they have a disability, and how would that take away from their acceptance to the university?
- a) Scott Howland: We cannot ask in the application if a student has a disability. A lot of students won't identify that they have a disability till after they are admitted.
17. DC Morris: Is there a plan in place for even if the student was offered a single that it would be a quiet part in the dorm?
- a) Bill Stackman: If you're asking if we expressed concerns to the doctor, we did do that. Certain locations and certain halls were also recommended, and placement in a specific hall away from a noisy area as well.
18. Erin Hiestand: Given the negative connotation that students have about this situation, is the University planning on releasing their side of the story?

a) Bill Stackman: Our plan was to come to you, and I would encourage more of you, and I would like to thank you for asking us here because it is part of your job.

C. Committee Breakout Sessions: Continuation of Planning for Projects

1. Motion to table: Zach Spitzer

2. Second: Erin Hiestand

a) Vote: All approved

VI. New Business

VII. Announcements

A. Alyssa Ngo: We are one day away from Thanksgiving Break. For people not going home, the Gender Relations Center is having a Friendsgiving Dinner tomorrow from 3:00-5:00 pm in the GRC on the third floor LaFun for people that are still on campus. First G ND is hosting a dinner on Wednesday at 6:00 in CoMo.

B. Bethany Boggess: After Thanksgiving Break, on the 28th, Karamo Brown will be here on DeBart 101 from Queer Eye. That same week, on the 30th, there will be a Student Concert at Legends. After break the movie will be Polar Express on Thursday, Friday, and Saturday.

C. Erin Hiestand: Ryan is doing the Caring Cats Collection and we are looking for toiletries. There should be a box in all of the 24 hour spaces.

D. Weston Dell: Carroll Christmas will be December 1st.

E. Katie Gabanic: PE is having our Silent Night Silent Auction the Thursday we come back from break.

F. Sam Cannova: We have a class mass coming up the Sunday we get back.

G. Laksumi Sivanandan (proxy): JCC will be having a trivia night the Tuesday after Thanksgiving.

VIII. Adjournment

A. Zach Spitzer: Motion to adjourn

1. Second; Mark Spretnjak

a) Vote: All approved

